An Abſtract of all the penal Statutes which be general, in force *and vſe, wherein is contayned the effect of all* thoſe Statutes which do threaten to the Offendors thereof the loſſe of life, member, landes, goods, or other puniſhment or forfaiture whatſoeuer.

Whereunto is alſo added in their apt Titles, the effect of ſuch other Statutes, vvherein there is any thing material and moſt neceſſary for eche Subiect to knowe.

Moreouer, the Authoritie and duetie of all Iuſtices of Peace, Sherifes, Coroners, Eſchetors, Maiors, Bailiffes, Cuſtomers, Comptrollers of cuſtome, Stewards of Leets and liberties, Bailiffes and Purueyors, and what things by the letter of ſeuerall Statutes in force they may, ought, or are compellable to do.

¶ Collected by Fardinando Pulton of Lincolnes Inne Gentleman, and by him newly corrected and augmented.

DEVT. 17. 8. &c.

If there riſe a matter too hard for thee in Iudgement, in matters of controuerſie within thy gates, then ſhalt thou aryſe and come vnto the Prieſtes, vnto the Leuites, and vnto the Iudges, and aſke, and they ſhall ſhew thee the Sentence of Iudgement. Thou ſhalt not decline from thence, neither to the right hand nor to the left. And that man that will do preſumptuouſly, not hearkening vnto the Prieſt that ſtandeth before the Lord, or vnto the Iudge, that man ſhal die, and thou ſhalt take away euil from Iſrael.

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Cum priuilegio ad imprimendum ſolum.

¶ To the right worshipful Sir William Cordell Knight, Master of the Roules, Fardinando Pulton wisheth long continuance of prosperous life, with great increase of worship.

AFter the Romanes had banished their Kings, remooued their Consuls, and placed tenne principal Magistrates called *Decemuiri*, yeerely by turne to gouerne their Citie, they sent iii. Embassadours to Athens, and other Cities of Greece, to learne and fetch them the Lawes of Solon, and other auncient rites, and ordinances of those Cities: which being brought to Rome, were perused by the said ten Magistrates and the Senate, and one by one were by them examined, sifted, & refourmed according to the time, their maner of gouernement and the nature of their people, and reduced into tenne Tables: Then were they published to the whole multitude of the citizens, established by the 35. Tribes, ingraued in pillars of Brasse, and set in a most open place of the Citie for all men to behold, to the intent that eche man might at his pleasure dayly peruse the same, and no wayes be ignorant of those Lawes, which he was bound to obey. By which Tables and other two shortly after thereunto annexed, the florishing Romane Empire was chiefly gouerned by the space of many ages, and they do remaine the ground of the Ciuil Lawes vsed to this day in diuers partes of the world. Euen so, when the mightie God of Iacob had with diuers miraculous plagues punished the land of Egypt for his elect people of Israels sake, caried them thorow the red sea, drowned therein King Pharao and his hoste, sweetned the bitter waters for them to drinke, sent them food from heauen, and brought them by a cloudy pillar in the day, and a fierie pillar in the night vntill they came to mount Sinai, he then gaue them diuers commaundements, and made vnto them many Lawes and statutes, concerning due honour to be done vnto him, concerning their duetie to their Princes, Magistrates, and Leuites, to their parentes, neighboures, and strangers, concerning the direction, order and guiding of their wiues, children, seruants, lands, goods, and other things necessarie for the vse of man. And then most straitly charged them, that the same commaundements should be in their hearts, that they should shew them vnto their children, that they should talke of them when they were at home in their houses, & as they walke by the way, when

Titus Liuius dec. 1. lib. 3.

Dionys. Halicar. lib. 10.

Exod. 7. &c.

Deut. 11.

they lie downe, and when they riſe vp, that they ſhould bind them for a ſigne vpon their hands, that they ſhould be warnings betwixt their eyes, that they ſhould write them vpon the poſtes of their
Deut.27. houſes, and vpon their gates. And moreouer when they came into the land of promiſe, that they ſhould ſet vp great ſtones in mount Ebal, plaſter them with plaſter, and write vpon them all the wordes of thoſe Lawes. Which commaundements Ioſua the ſeruaunt of
Ioſua.8. the Lord did after moſt faithfully perfourme. With which good examples and ſuch like, together with the care of their ſubiectes by Almighty God to them committed, the vertuous Princes and gouernours of this Realme being mooued, haue not onely prouided for the due obſeruation of the Lawes of GOD within theſe their kingdomes and Prouinces, piked forth the pureſt iuice and pithieſt marow of the Lawes of the Romanes and other Regions, and from time to time by the aduice of their Nobles and conſent of their Commons, decreed, altered, and reformed the ſame according to the inclination of their ſubiectes, and diſpoſition of the inhabitantes of their Dominions, but alſo haue bene moſt carefull that thoſe Lawes and ſtatutes which were newely ordeined, ſhould be in ſuch ſort publiſhed, ſpred abroad, and made knowen, that eche perſon bound to obey the ſame, might take knowledge of that whereby he was to liue, to receiue benefite, or ſuſtaine loſſe, (alwayes intending that thoſe Lawes which the finger of God hath written in the heart of man, or nature infuſed into him vpon his firſt creation, or reaſon, the only cogniſance of mankind inſtilled into his breſt, or which the auncient Maximes and cuſtomes of the Realme, the very ground of all our common Lawes haue inſtructed him, be not to any Engliſhman hauing the cleere vſe of *Sinderiſis* wholy vnknowen,) And therefore they haue prouided that their Iuſtices of *Oyer & determiner*, their Iuſtices of Aſſiſe, and gaole deliuery at their generall Aſſiſes, their Iuſtices of peace at their quarter Seſsiós, their ſherifes in their Turnes, their Stewards of Leets and Liberties in their Courts (vnto vvhich Aſsiſes, Seſsions, and Courts, the greater number of people being aboue the age of xii. yeeres, are bound to reſort) ſhould not only openly declare vvhat Lavves and ſtatutes haue bene made for the puniſhmēt of ſeueral great offences, but alſo ſhould execute the paines and penalties of the ſame vpon the trāſgreſſors thereof: that the chaſtiſemēt of ſome might be to others a learning to know the ſame Lavves, & alſo a vvarning to them to auoyd the danger thereof. And further they haue foreſeene, that ſome ſpecial ſtatutes which

be moſt

be moſt dangerous, & into the perill whereof the ignorant people are likeſt to ſlide, ſhould be openly read in the foreſaid Courts, that the hearers thereof ſhould not only vnderſtand themſelues, but alſo inſtruct their neighbors at home, of thoſe moſt penall lawes, and of the great dangers thereof. And for that cauſe King Ed. 1. ordained by Parliament, that the ſtatute of *Magna Chart. and Charta Foreſt.* ſhould be openly read in Churches. King R. 2. decreed that the ſtatute of Wincheſter ſhould be openly proclaimed by euery Sherife of England in his proper perſon foure times in the yeere in euery Hundred within his Countie, and by his Baillifes in euery market. King H. 6. enioyned euery Sherife vpon a great paine, that he ſhould iiii. times euery yeere through his Bailliwick, proclaime certaine ſtatutes prouided for Purueiors. King H. 8. commaunded that the ſtatute made for the maintenance of Artillery and debarring of vnlawfull games, ſhould be openly proclaimed euery quarter once, by all Maiors, Baillifes, Shirifes, & other head Officers: And that Iuſtices of Gaole deliuery, Iuſtices of aſſiſe, & Iuſtices of peace, ſhould cauſe the ſame to be proclaimed in the ſeſſions holden before them. Q. M. prouided that the ſtat. made againſt vnlawfull and rebellious aſſemblies, ſhould be publiſhed at euery quarter ſeſſions, and at euery Leet and Law day. And our Soueraigne Lady Q. El. hath by authoritie of Parliament eſtabliſhed, that the ſtat. ordained for the aſſurance of her Maieſties royall power ouer al ſtates and ſubiects within her dominions, ſhould be openly declared at euery quarter ſeſſions, and at euery Leet and Law day, and once in euery Terme in the open Hall of euery houſe of court & Chauncery, So that in the place of praier, in the place of Iuſtice, and in the place of ſeeking our priuat commodity, our princes haue deuiſed to ſound into our eares, and to imprint into our memory the effect of the foreſaid lawes, with the fruites that be promiſed to the obſeruers, and the puniſhments which be threatned to the infringers thereof. And ſometime, finding time to worke forgetfulneſſe, or their lenitie to incourage ſlacknes in their ſubiects of due obſeruance of ſome ſpecial ſtatutes, they do with a fatherly care by Commiſſion, proclamation, or ſome other meanes, gently put them in remẽbrance thereof, requeſting, perſwading, and as it were vpon their bleſſing charging them that they would doe the partes of good children, & obediently obſerue thoſe ordinances which were decreed by their owne or their aunceſters conſent. Beſides all this, they haue cauſed to be printed the foreſaid ſtatutes with their preambles, declaring the ſpeciall conſi-

25. *Ed.* 1. 3.

7. *R.* 2. 6.

1. *H.* 6. 2.

20. *H.* 6. 8

33. *H.* 8. 9.

1. *M.* 12.

5. *El.* 1.

derations of the making of a newe, abrogating, altering, or reforming an olde lawe, to the intent that euery one which deſireth to knowe, may reade, and thereby perceiue the cauſe, and contents of the ſame, So that our worthy Princes haue plaied the parts of Gods good Lieutenants in theſe their regions, they haue laide a foundation of all their ſtatutes and decrees, the word, and euerlaſting Teſtament of the Almighty, they haue vſed thoſe lawes of the Romanes, Grecians, Saxons, Normans, and other Countries, which be moſt correſpondent to the ordinances of God, conſonant to reaſon, and agreeable to the inclination of their ſubiects, they haue indeuoured themſelues further to publiſh them, then ingrauing in Braſſe, or writing in ſtone ſetled in one place certaine, can doe. Whereby is plainely declared, not onely their great foreſight to make good lawes, but alſo their ſpeciall care to notifie the ſame, that ignorance might not excuſe offendors, nor want of notice, lead awry ſuch as are willing to liue in order. But becauſe the Gouernours of this ſtate, from time to time carefull to prouide ſuch lawes, as vvere moſt commodious for the vveale publique, haue beene enforced to trie many, to continue diuers, to alter and reforme ſome, according to the diſpoſition of the vvauering minded people, fertilitie of the ſoile, quietneſſe of the gouernment, friendſhip of the regions adioyning, and other accidents and circumſtances vvhereunto our humane nature is ſubiect, by that neceſſary meanes our ſtatute lavves are grovven to be many, ſome much differing, and ſome meere contrary and repugnant to others: for ſithence the time of King H. 3. (in the ix. yeere of vvhoſe raigne Magna Charta the firſt ſtatute that vve haue in print, vvas made) there haue beene a great number of ſtatutes vvritten, ſome in Latin, ſome in French, ſome ordained to be in force for one Kings time, ſome for another, ſome repealed in part, and confirmed in part, ſome repealed by ſpeciall, and ſome by generall vvordes, as by iii. branches of iii. ſeuerall ſtatutes, there be at the leaſt 120. other ſtatutes and braunches of ſtatutes repealed. So that time hath vvrought triall, much triall hath procured a number, a number prouided at ſeuerall times, by ſeuerall perſons, and to ſeuerall endes, hath brought in ſome queſtion vvhich be in force, and vvhich not, and thereby imprinteth feare to many vvilling mindes to reade, and diſcouragement to vnderſtand thoſe lavves, vvhich othervviſe they vvould in their knovvledge imbrace, and in their deedes obey. Whereupon conſidering vvith my ſelfe, hovve carefull our princes haue beene in all ages to

1. H. 4. 3.
5. Ed. 6. 22.
5. El. 4.

prouide

prouide good lavves, hovv mindefull to publiſh them, and hovv deſirous to ſee them obſerued: And againe remembring hovv ioyfull euery good Subiect is of good lavves, hovve ready to learne them, and hovve obedient to execute them, and that the Prince and the ſubiectes doing their partes, onely time (the beginner, increaſer and ſubuerter of humane policies) hath vvrought ſome defects and procured ſome difficultie in vnderſtanding of our ſtatute lawes, euer ment to be moſt plaine and eaſie to conceiue: I therefore (Right worſhipfull) haue vndertaken to publiſh in our Engliſh tongue, the moſt effectuall ſtatutes which be generall, and at this day in force and vſe, together with thoſe ſtatutes which doe limit the authoritie and duetie of Iuſtices of peace, Sherifes, and certaine other neceſſarie Magiſtrates, and which doe teach them hovv to rule, and hovve to obey. Wherin my meaning in the beginning of mine enterpriſe, vvas to ſette dovvne no other ſtatutes but vvhich be to all, or at the leaſt, to ſome intents in force, and not any vvhich eyther be vvholy repealed, or vvhereof the vſe to all intents is taken avvay, hauing an earneſt deſire, and a ſpeciall good vvill to collect al thoſe ſtatutes, and braunches of ſtatutes, vvhich be receiued as Lavve and in force at this day, and none but vvhich be in force and allovved for Lavve. But ſithence Salomon himſelfe proclaimeth that mans wiſedome is vnperfect, and his knowledge in eche Science vncertaine: Therefore I being vtterly deſtitute of that wiſedome, and but of ſlender knowledge in the lawes wherein I deale, neither may, doe, nor will preſume to thinke that by any meanes I am able to performe my deſired enterpriſe, or to bring to perfection this ſo waightie a matter, and ſo intricate a cauſe: For though I may ſay with Saint Paul, *Nihil mihi conſcius ſum*, I knowe not what I haue miſtaken, or wherein I haue erred: yet will I not dare to report, or be incouraged to affirme that my worke is perfect, or that I haue fully performed my Title, and long wiſhed attempt. And for that cauſe, ſtanding in doubt whether I were beſt to conceale many trueths, or aduenture to report ſome errours: The learned Philoſopher *M. Tullius* whiſpered in mine eare, *Quòd falli, decipi, errare humanum eſt*, and telling me (ſo farre as his prophane knowledge extended) to what vſe I was borne, and to whoſe benefite I ſhoulde liue, he preſſed me to hazard ſome part of my credit to doe my Countrey, and Countreymen good, auowing by all his goddes, that if the valiant *Horatius Cocles* had not aduentured his life, and the lingring Q. *Fabius* his honor, for the benefite of their Countrey,

Eccleſ. 8.

1. Corin. 4.

Liu. dec. 1. lib. 2.

Liu. dec. 3. lib. 2.

Countrey, it is like that Rome and the name of Romanes had bene clere extinct long time before the Romane Monarch began. But as it hath pleased you (Right Worshipful) for the zeale you beare vnto Iustice, the care you haue of your Countrey, and the good will you owe vnto euery good subiect to be a furtherer of all honest and vertuous proceedings, and amongst others to incourage me in this my trauaile, and to assist me with your sage aduice, so if in continuing your said affection, you will vouchsafe to become amongst vs, an other Iustinian: you shal doubtles finde *Tribonian* and many of his felowes ready with reuerence to attempt your wholsome directions, and execute your lawfull deuices, and willing not onely to remooue those imperfections, which by my weakenesse of iudgemēt, or slacknesse of cōsideration haue happened in this treatise, but also to polish and reforme the necessary workes of seuerall wise and learned men, in the lawes of this Realme, wherein time hath wrought some defects. And as experience, and diuers writers doe tell vs, that the name of Iustinian remaineth famous to this day in most ciuill Nations vnder Heauen, for only causing other men to collect into order, and a small number of bookes, the ciuill lawes ordeyned by other Princes: So you by procuring to be reduced into some perfect Method the confused number of our lawes prouided in seuerall ages, in seuerall maner of gouernments, vpon seuerall causes, and to seuerall ends, may purchase to your selfe perpetuall renowne of all Englishmen, whilest these our English lawes shall rule them. And as we, which now inioye the benefites of your trauaile in place of Iustice, doe worthily esteeme you being liuing, so shall our posteritie yet vnborne, tasting the fruites of your said industrie, and receiuing instruction by your direction, reuerence your name by the space of many generations, after your soule shall rest in ioy.

From Lincolnes Inne by
your worships to vse,

Fardinando Pulton.

A.

Abbettors. s. Appeales. 5.
Abbies &c. s. Monasteries.
Abilitie & nonabilitie. 1
Abiuration. s. Sanctuarie.
Abridgemēt of plaints. 1
Accessary. s. Appeale. 3.
Accions popular. 1
Accomptants & debtors to the Queene. 3
Accompt. 10
Accusation. 10
Additions. 11
Adiournemēt. s. fines. 11.
Admeasurement. 11
Administrators. 11
Admiral, Admiralty. 12
Ad quod dampnum. s. Mortmain. 10.
Aduowson. 32
Age. 12
Aide to marry the daughter &c. 12
Ayde of the Queene. 13
Aiel. s. Cosinage.
Ale & Beere. s. Bruers & Weights. 15.
Alehouse. 13
Alienation without licēce s. Prerogatiue. 7. 8.
Aliens. 13
Almes. s. poore people.
Ambidexter. s. Iurors. 6.
Amendement. s. Records.
Amercement. 16
Apparance. 16
Apparell. 16
Appeales and prouocations. 19
Appeales of Felony. 21
Apprentice. s. Laborers.
Appropriations. s. Ecclesiastical persons. 33.
Approuers. 21
Approuements. 22
Archerie. 22
Armour. 23
Arrowheads. 25
Arrestes. 25
Artificers. 25
Assaults & frayes. s. Fighting. &c.
Assettes. s. Accomptants to the Queene. 6.
Assise. 26
Assise of Bread and Ale. s. Waights. 15.
Assise of darreine presentment. s. Aduowson. 3. 7. 8.
Association. s. Discontinuance of proces. 2. Wales. 6.
Attachment. s. Marches.
Attachment vpon prohibition. s. Prohibition. 5
Attaint. 27
Atturney. 30
Auditor and Receiuor. 31
Auerment. s. Returne. &c. 8.
Augmētations. s. Monasteries. 12.
Aulneger, Aulnage. s. Draperie. 53. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99.
Auncient demesne. s. Assise. 9.
Auowrie. 32
Auowson. s. Aduowson.

B.

Badge. s. Liueries and Retaynors. 5. Sanctuarie. 12.
Badger, Lader, Caryer, Drouer. 33
Bayle. s. Mainprise.
Baylife in assise. s. Assise. 10.
Baliffes of Fraunchises, Liberties & Townes. S. Corporations and Fraunchises. 1. 3. and Sherifes. 30.
Baylifes of Hundreds. s. Sherifes. 17. 19. 27. 28. Wales. 50.
Bakers. s. Artificers. 1. vitailers. 4. Waights. 15.
Bankes. s. Sewers.
Bankrupts. 34
Barbours. s. Surgeons. 3. 4. 5. 7.
Bargaine & sale of lands. s. Accomptants to the Queene. 30. Bākrupts. 2. Inrolments.
Barke. 36
Barrettors. s. Iustice of peace. 18.
Bastardy. 36
Beades. s. Rome. 5.
Bedding. s. Vpholster.
Beggers. s. Poore people and Vagabonds.

Benefices, s. Eccleſiaſticall perſons.
Beere, s. Alehouſe and Brewers.
Berwicke. 37
Beſaiel, s. Coſinage.
Buying of titles, s. Maynтenance. 7.
Bigamie, s. Clergie. 15.
Biſhops. 37
Bloodſhed, s. Fighting. 1.
Bookes. 38
Boates, Boatmen. 38
Bowes & Bowſtaues. 40
Bowling, s. Playes. 4.
Braſſe, Latine, Copper, & Belmettall. 41
Bread, s. Waights. 15.
Bridges. 42
Brokers, s. Vſurie. 7. Woolles. 10.
Bruers. 43
Buggery, s. Felony. 9.
Buckſtals, s. Hunting. 3.
Bullion, s. Money. 2.
Bulles of abſolution, s. Rome. 2.
Burglarie, s. Clergie. 10. 12.
Burning. 43
Burning thorough the eare, s. Vagabonds. 4.
Butchers. 43
Butter and Cheeſe. 44
Buttes. 44

C.

CAlues, s. Cattell, and Butchers. 2. 4.
Cannons, s. Conuocation. 2.
Captaines, Souldiours, Muſters. 44
Cappes, s. Hattes.
Caſtels & fortreſſes. 47
Cattell. 47
Cauſe to remooue plee, s. Remooуer. 1. Repleuin. 2.
Certificat of Conuictes. 48.
Certificat of Aſſiſe, s. Aſſiſe. 10.
Certiorare, s. Corpus cum cauſa. 1. Remooуing, &c. 1.
Ceſſauit. 49
Challenge. 49
Champertie, s. Maynтenance.
Chappels, s. Monaſteries. 14. 15.
Chappelles, s. Eccleſiaſticall perſons. 19. 20. 22. 23.
Charter, s. Pardon.
Chauntries, Colledges, Chappels, and Hoſpitalles, s. Monaſteries.
Cheeſe, s. Butter.
Cheſter & Cheſhire. 50
Churches, s. Eccleſiaſtical perſons. 31. 32. 33.
Churchyard, s. Eccleſiaſt. perſons. 34.
Cheirographer 51
Citation. 51
Clergie. 52
Clergie of Englande, s. Eccleſiaſticall.
Clerke of the Crowne, s. Certificat of Conuictes.
Clerke of the market. 54.
Clerke of aſſiſe. 54
Clerke of the ſignet, and priuie ſeale. 54
Clerke of the peace. 55
Clerke of the Eſchequer, s. Eſchequer. 1. 2.
Clerke of the pety bag, s. Office. 5. 6.
Clerke of the Sewers, s. Sevvers. 14. 15.
Clerke of the Sherife, s. Sherifes. 4.
Clerkes of the ſtatute, s. Statutes. 2. 8. 13.
Clothes, s. Drapery.
Coferer to the Q. s. Accomptantes to the Queene. 29. 35.
Coyne, s. Money.
Coles, s. Fuel. 1. Woods. 26.
Collector. 55
Colledges, s. Monaſteries. 14. 15.
Common, s. Approuemēt
Commiſſion and Commiſſioners. 55
Condition, Couenāt. 56.
Condits. 57
Coniuration. 57
Cōgregation & chapters, s. Aliens. 11. Felony. 22
Conſpiracie. 57
Conſtables of Caſtels, s. Caſtels. 3. and Purueyours. 6.

Conſtat, s. Exemplification.
Conſtitution, s. Conuocation.2.
Conſolation, s. Prohibition.8.9.10.
Contribution,s,Wils.18.
Contra formam Feoffaméti.s.Suit of court.1.
Conuocations. 57
Conuſance,s.Aſſiſe.9.
Cookes, s.Butchers.7. Artificers.1.
Coparceners, s. Partician.
Copihold,s,Bankrupts.3. Monaſt.11.23. Fugitiues.3. Ryots.22. Iurors.14.
Copper,s.Braſſe.
Coꝛdioners,s.Lether.
Coꝛne and grayne. 58
Corpus cum cauſa. 60
Coꝛpoꝛation. 60
Coꝛoners. 65
Coſinage. 67
Coſtes,s.Dammages.
Couenants,s.Condition
Couerlets. 67
Counterfaiting of letters pꝛiuie tokens. 67
Coupers. 68
Countie oꝛ ſhire Court. 68.
Croſſebowes, s.Gunnes.
Croſſes,s.Rome.5.
Crowes, Rookes, Choughes. 68
Crowne, s. Queene and prerogatiue.
Cui in vita,s.Women.5.
Cuſtos Rotulorum. 69
Cuſtomes,ſubſidies. 69
Cutpurſe,s.Clergie.1.
Cutting Dãmes, Heads of pondes, Condits ꝛc. s.Fiſhe.7.

D.

DAmmages. 73
Dayes of grace, S. Receite.2.
Darrain preſentment, s. Aduowſon.3.7.8.
Decies tantum, s. Iurors. 5.
Deedes & writings, s.Inroulments.
Denizens,s.Aliens.
Deodandes, s.Coroners. 10.
Debt to the Queene, s. Accomptantes to the Queene.
Deuiſe,s.VVilles.
Dying and dyers,s.Drapery.68.
Dilapidations. 75
Diſcent,s.Entrie.
Diſceipt. 75
Diſcontinuance of right, s.vvomen.1.
Diſcontinuance of pꝛoces. 75
Diſmes, s.Eccleſiaſt. 28. & Tenthes.
Diſpenſations. 76
Diſſeiſin,s.Aſſiſe.
Diſtreſſe. 76
Diuine ſeruice, s. Sacraments.
Dogges, s.Forreſtes.6. Hunters. 1. puꝛueiors. 10.
Doꝛnicks,s.Couerlets.5.
Dowlas and Lockeram, s.Linnen cloth.
Dower. 77
Dꝛapery. 79
Dꝛawlatch, s. Felonies. 35.
Dꝛiuing of Foꝛests and commons, s.Horses.7.
Dures, s.Felonie. 17.
Dutton,s.Poore.19.

E.

EAres. 91
Eccleſiaſtical perſons and liuings. 92
Eccleſiaſtical iuriſdiction s.Queene.3.
Eccleſiaſticall lawes, s. Periurie.3.Vſury.9.
Egges,s.vvildfoule.
Egyptians. 100
Eiectment of warde, s. vvards.2.
Election, s. Corporations.5.29.
Elegit,s.Execution.1.
Embꝛacery,s.Iurors.5. Maintenance.3.4.6.
Engroſſers,s.Forſtallers. 3.
Enqueſts,s.Iurors.
Entrie. 100
Entrie with foꝛce, s. Forcible entrie.
Errour 101

Eſcape

Eſcape. 101
Eſchange.s.Money.1.
Eſchequer. 102
Eſchete,s.Prerogatiue.16
Eſchetor. 102
Eſt March.s.Marches.
Eſtouers,s.Aſſiſe.1.
Eſtretes. 103
Exaccion.s.Extorcion.
Excommunication. 104
Execution. 105
Executors. 105
Exemplification. 106
Exigent & outlawry. 106
Ex parte talis.s.accõpt.2.
Extorcion,exaccion. 109

F.

FAires & markets. 109
Falſe iudgement. 111
Falſifyng of Recoueries s.Recoueries.5.8.9.
Farmes. 111
Faſting daies.s.Fiſhdaies
Fawcons.s.Hawkes.
Fealtie.s.Homage.
Felles. s. Cuſtome. 1. Marchandiſe.4.
Felony. 111
Feſants. 114
Fetherbeds. s.Vpholſter.
Fieri facias. s. Execution.1.
Fifteenes. 115
Fighting and quareling. 115.
Fine for alienation. s. Willes.8.16.
Fines. 116
Finours.s.Gold.1.
First fruites.s.Eccleſiaſt. 24.25.
Fiſh and fiſhers. 118
Fiſh dayes. 120
Flaxe,s.Hempe.
Fleſh,s.Butchers.7.
Flockes,s.Drapery.60.
Fold courſe.s.Sheepe.11
Fooles , Lunaticke and madmen. s. Prerogatiue.10.11.
Force , and Forcible entrie. 121
Forests, Chaſes, Parks, Warrens. 122
Forfaiture. 123
Forfaiture of mariage, s. Wardes.6.
Forging of deedes & writings. 124
Forſtallers , Ingroſſers, Regrators. 125
Fortreſſes,s.Caſtels.
Foundations, erections, &c.s.Mortmaine.6.
Frayes,s.Aſſaults.
Fraternities and guylds, s.Monaſteries.14.
Fraunchiſes and Liberties. 127
Fraudulent deedes. 127
Free chappel,s.Monaſteries.14.15.
Freehold. 128
Freſh ſuit,s.Felony.33.
Frie,s.Fiſhe.3.
Fuell. 128
Fullers,s.Drapery.
Fugitiues. 129
Fuſtians. 131

G.

GAyle and Gayloys,s. Priſons.
Gardein,s.Wardes.
Gauelkinde. s. Prerogatiue.16.
Gauging,s.Fiſh.12. wine 16.17.
Gigge milles,s.Drapery. 69.
Guylds, s. Monaſteries. 14.
Godalming,s.Labourers. 18.
Gold, Siluer and Goldſmithes. 131
Gunnes and Croſbowes 232.
Graund ſerieantie, s.Prerogatiue.8.
Graunts,s.Patents.

H.

HAbeas Corpus. See Remouer.1.
Halifax.8.Wools.5.
Handgunnes and Harquebuts.S.Gunnes.
Handicrafts. S.Aliens.13 & Labourers.
Harueſt. S. Laborers.13.
Hattes and cappes. 134
Haukes. 135
Hauens & Riuers. 136
Hauerfoyde weſt. S. Wales.85.
Hempe and Flaxe. 136
Herons. 136
High wayes. 137
Hogs.S.Woods.19.23.

Homage and fealty. 139
Honie. S. Wines. 16.
Hoys. S. Husbandry. 13
Hoznes & hoyners. 139
Hoyſehead. s. Inholders. 2
Hoyſes, Mares. 140
Hoſpitalles 143
Hoſtelers, Hoſtries, See Inholders.
Hunters & hunting. 143
Huſbandrie and Tillage. 144.
Huy and crye. S. Felonies. 33. 34. VVatch. 1.

I.

IDemptitate nominis. S. Shirifes. 23.
Ideots. S. Prerogatiue. 10
Ieofaile. 147
Iſle of Wight. S. Farmes 1.
Impoſitions. See Extorcion.
Incloſures. S. Approuements.
Incontinencie. 148
Incumbent. 148
Indicauit. S. Aduowſon. 9 Prohibition. 4.
Indictments. 148
Infants. S. Age.
Information. s. Actions popular.
Inholders. 149
Inquiſitions. s. Offices.
Inroulments. 150
Intruſion. s. Prerogatiue. 13.
Inuentorie. S. Probate of teſtaments.
Iointenancie. 150
Iointenants &c. S. Partition. 2.
Iointure. See Dovver. 4.
Iſſues. S. Returnes. 4.
Iuris vtrum. S. Quod permittat.
Iuroꝛs, Iuries, and Enqueſts. 151
Iuſtice of Aſſiſe. 156
Iuſtice & right. 156
Iuſtices of peace 156
Iuſtices of the Foꝛreſt. S. Forreſts. 8.

K.

KIngs children. S. Abilitie. 1. Queene. 12. 14.

L.

LAbourers & ſeruants. 175.
Lancaſter. 181
Lapſe. 181
Laſt of Hering. S. Fiſh. 23
Latten. See. Braſſe.
Lawes Eccleſiaſticall. S. Eccleſiaſt.
Leaſes. 182
Leetes, Liberties. 183
Lether. 185
Letters patents. S. Patẽts
Libel. S. Prohibition. 8. 10
Libertate probanda. See Villenage. 1.
Liberties. S. Franchiſes.
Licences. S. Fiſh dayes. 5. 6. Badger. 1.
Limitation of preſcription. 190
Linnen cloth. 191
Liuerie, and ouſter le maine. 191
Liueries & retainers. 193
Lockeram. S. Linnen cloth. 1.
Lunatique. S. Prerogatiue. 11.

M.

MAihem. S. Coroner. 8.
Mainpꝛiſe & baile. 194
Maintenance, Champertie. 198
Maioꝛs, Bailiffes, and head officers of cities, boꝛoughes, & Townes S. Corporations.
Marchants. 200
Marches. 202
Mariners. 202
Markets. S. Faires.
Marſhal and Marſhalſie. 202.
Maſons. S. Felonie. 22.
Maſter and Seruant. See Labourers.
Miſpꝛiſion. s. Treaſon. 8.
Matrimonie. 203
Meſne. 204
Monaſteries, Colledges, Freechappels, Chaſtries. 205
Money. 213
Monmouth. S. VVales. 78
Moꝛtdaunceſter. 214

Mortmaine. 214
Mortuaries. 216
Multiplying. S.Felonie. 21.
Murder & Manslaughter 217.
Musters.s.Captaines.

N.

NAti in partibus transmarinis, s.Abilitie, 1.
Naule,s.shippes.
Nettes,S,Fish,4,Hauens, 2.
Newes. 217
Nonage,s,Age.
Non omittas, s,Returne &c.3.
Non Residence. s,Ecclesiast.21.22.23.
Non suit. s,Dammages. 1.6.
Non tenure. 218
Norwich,s.Couerlets,5. Wools.4. Worsteds,8. Yarne,1.

O.

OFfice,Inquisition. 218.
Offices and officers. 220
Oyle. 221
Ordinary. 221
Orphanes. s,Vsury,10. Women,11.
Othe. See Faires,3. Freehold,1,Iustice of peace 4.Queene, 4. Purueyours.20.Sewers,4.
Outcale, 222
Ouster le main, s.Liuerie.
Oxen,S,Cattel.

P.

PAnnel,S,Iurors.
Packer of wools. See Wools.8.
Parkes,S,Forrests.
Pardon. 222
Parliament. 222
Partition and parceners. 225
Passages,S,Boates.
Patens and patenmakers. 225
Patents. 226
Peace.S,Iustice of peace.
Pedlers.S,vagabonds,1.
Peine hard & straight. S.Felony.36.
Peltes.S,Lether.32.
Pencions,s,Ecclesiast.13
Perēptory. S,Challenge 10,11.
Periury. 228
Pernor of profits.S.Fines 6.
Person,Vicar. S.Eccles.
Pewter,Brasse. 229
Phisitions. 231
Pillory.S,Weights.15.
Pipowders,S,Faires.3.
Piracie. 233
Placardes.S.Playes.2.
Playes and games. 234
Plate. S. Gold & money.
Pledges,S,Statutes,1.
Plenartie. See Aduovvson.7.
Plaints. S.Abridgement of plaints.
Pluralities. s,Ecclesiast, 18.19.20.
Poysoning.s.Felony,32. Murder.5.
Ponds,s.Fish,7.Riots,17 20. Approuements 7.
Poore people. 235
Prerogatiue. 241
Preachers. 243
Premunire,prouisiō.244
Prescription,s,Limitatiō.
Priests.s,Ecclesiast.
Primer seisyn.s,Prerogatiue.3.
Principall and accessary. s.Appeals,3.
Prioritie.s.Wards,14.
Prison,prisoners. 246
Probate of testamēt. 248
Procheine amy. s,Age,3, vvardes,8.
Proclamatiou vpon Exigent.s,Exigent,5.
Procurement.See Repleuin,4.
Prohibition and consultation. 250
Prophesies. 251
Protection. 251
Prouision.s,premunire.
Purgation. s,Clergy,18.
Purueyours. 251

Q.

QVare impedit. 158
Quarentine,s,Dovver,1.
Queene,Crowne,supreme gouernmēt. 258
Quinzime,s,Fifteenes.
Quod permittat, 264

R.

Rape. 264
Rauishmẽt of ward. s.Wards.4.5.
Rebellion.s.Riots.16.&c.
Receipt. 264
Receyuors.s.Auditors & Accomptants.&c.
Recognisãces. s.Statutes.
Recoyare.s.Repleuin.2.
Recoyes. 265
Recoueries. 265
Recusance.s.Ecclesiast. 29.
Redisseisin. 267
Regrators.s.Forstallers 3.
Reliefe. 267
Religious houses. s.Monast.
Religious persons.s. Abilitie 3.
Remouing of persons, or recoyes. 268
Rents. 267
Replevier. s.Ieofaile.
Repleuin. 269
Residence.s.Ecclesiastical 21.22
Reasonable ayde.s.Ayde &c.
Restitution. 269
Retainors. s.Liueries.
Returne of Shirifes. 270
Returne of cattell.S.Repleuin.
Richmond. S.Probate of testaments.14.
Right.S.Iustice & right.
Riots,Routs,vnlawfull assemblies. 271
Riuers,See Hauens.
Robbery,See Felony.33. 35.
Roges, See Vagabonds.
Rome. 277
Rumors,See Nevves.

S.

Sacraments & seruice diuine. 278
Safeconduites. 279
Sainct Johns. s.Ability.3.
Sanctuary and Abiuration. 280
Scauage,S.Marchants.2.
Scotland,s.Corne.1.Felony.1. horses.14.
Scriueners.s.Aliens.13.
Second deliuerance.283
Secunda superoneratione pasturę s.Admeasurement.2.
Sequestration,s.Ecclesiasticall.9.
Serch.S.Aide of the Queene.3.Trauerse.4.
Seruant,s.Labourers.
Seruice,s.Sacraments.
Sessions, s.Laborers.29.
Seuerne, s.Boates.9.10.
Sewers. 283
Sheepe. 288
Ships & shipping. 290
Shiriffes. 291
Silke. 297
Siluer,s.Gold.
Sope vessels. 297
Souldiers, s.Captaines.
Slaunder,s.Nevves, Prohibition.
Spicery, s.Marchants.1.
Spirituall &c. s.Ecclesiast.&c.
Stalking, s.Hunting.4.
Staple, s.Statutes.4.and Wools.
Statutes and recognisances. 297
Steele. 300
Stewards of leete,s. Leetes.
Strangers,s.Aliens.
Sturgeons, s.wrecke.1.
Succession,s.Queene.19
Suertie,s.Statutes.1.
Suffragans, s.Ecclesiast. 20.22.
Suggestion. 300
Supremacie, s.Queene.
Surgeons 300
Swanimouts, s.Forrests 2.
Suit of Court. 302
Swannes. 302
Swine, s.vvoods.19.23.

T.

TAles de circumstantibus,s.Iurors.21.22 23.24.
Taile. 302
Tallowe,s.Lether.33.
Tame beasts. 303
Tanners,S.Lether.
Taxes,See Fifteenes.
Teller of newes,S.newes
Tenthes. 303

Tenure. 304
Testaments, s. willes.
Testimonial, See Labourers. 7. vagabonds and poore people.
Thummes, s. Yarne.
Tillage, s. Husbandrie.
Tiles. 305
Tinkers, s. vagabonds. 1.
Tinne, s. Brasse, pewter.
Tythes. 305
Tolle. 310
Tonnage and Pondage, s. Customes. 1.
Townes. 310
Transportation. 313
Trauerse. 314
Treason. 315
Treasure trouo, See Coroners. 6.
Triall. 317
Tuckers, See Draperie. 74. 75.
Turbary, See Assise. 1.
Turne of Shiriffes. 319

V.

Vagabonds. 320
Valore maritagii, See vvardes. 7.
Verdict, See Forests. 7. Iurors. 32.
Vessels, See Coopers.
Vicars, See Ecclesiast.
View of frankpledge, See Leete.
Villenage. 323
Visitation, s. Hospitalles, Ordinarie 3.
Vitayle & vitaylers. 323
Union of Churches, s. Ecclesiastical. 31. 32. 33.
Universities, s. puruei-ors 32.
Upholsters. 325
Uses. 325
Usury. 326
Usurpation, s. Aduovvson. 1. 6.
Utlawry, s. Exigent.

W.

Wages, See Iustice of peace. 66.
Wager of Lawe. 327
Wales. 327
Wardes. 347
Warrantie. 352
Warrant of attorney, s. Attorney. 12. 13
Waste. 352
Watch & warde. 353
Watermen, s. Boates, Mariners.
Weights and measures. 353.
Weinlings, See Butchers. 3.
Weares. 356
Weauers, S. Drapery. 72. 73. 74. 76. 77.
White Ashes. 357
Widowes, See Women.
Wildfoule. 357
Willes. 357
Wiues, See Women.
Witnesse. 364
Wines. 361
Woods. 364
Woolles. 369
Women. 371
Worsteds. 371
Wrecke of Sea. 371

Y.

Yarne & Thummes 375.

FINIS.

ANNO.25.Ed.3. It was agreed in parliament, that the lawe of the Crowne of England is, and alway hath bene such, that ỹ children of the kings of England in what soeuer parties they be borne, in England, or els where, be able, and ought to haue ỹ inheritance after the death of their auncestours: the which law was confirmed by the said K.Ed.3. the Lords and Commons there assembled, to remaine for euer. And in the right of other children borne out of the legeance of England, in the time of the said king Ed.3. it was there agreed, ỹ Henrie sonne of Iohn of Beamond, Elizabeth the daughter of Guy of Brian, & Iohn the sonne of Raulfe Daubney, & others which the said king Ed.3. would name (the which were borne beyond the sea, without ỹ allegeance of England) should be from thence forth enabled, to haue and enioy their inheritance after the death of their auncestors in al parts win the legeance of England, as well as those which should be borne win the same legeance.

Kings children borne beyond sea, inheritable in England.

2 ¶ And it was then further enacted, that all children inheritours which should be borne without the kings legeance, which childrens father and mother at the time of their birth, shall be vnder the faith and legeance of the king of England, shal enioy the same benefites, to haue and take inheritance within the same legeance, as other the foresaid inheritours, so that the mothers of such infantes do passe ouer the sea, by the licence and good willes of their husbands. And if it be alledged against any such borne beyõd ỹ sea, that he is a bastard, in case where the Bishop ought to take cognisaunce of Bastardie, the Bishop of the place where the land demaunded is, shalbe commaunded to certifie the kinges court where the plea dependeth, as in auncięt time it hath bene vsed in case where bastardy is alledged against them, which be borne in England. 25.Ed.3.

Children inheritable where their mothers passe the sea, by licence of their husbands.

Tryal of Bastardy pleaded against him which is borne beyond the sea.

3 ¶ By the statute made. 31.H.8.6. All religious persons professed, aswel men as women which were or after should be set at libertie by suppression, dissolution &c. of their Monasteries, Abbeis, Priories, &c. (or which were translated from one corporation to another. 33.H.8.29.) and the Prior, Brethren or Confriers of the hospital of Saint Iohns of Hierusalem in England & Ireland. 32.H.8.24. from and after the time that they were set at libertie, were enabled to purchase to them & their heires in fee simple, fee taile, for terme of life, yeeres, or at will, any manors, lands, tenements, rents, annuities, and other hereditaments and things whatsoeuer. And also to sue, and to

Religious persons enabled to inherit, purchase, sue and be sued.

be sued in all accions, plaintes and suites what soeuer, for any matter or cause growen, after the time of their seueral deraignments, or departing out of their religion, in all courtes & places win the realme, and to receiue, take, and enioy euery lawfull thing to them growen or happened, after their departing out of their religion, in as ample maner, as if they had neuer entered into religion. But by the said statute of 31. H. 8. & the statute of 5. Ed. 6. 13. it was prouided that none of the said religious persons should be taken and iudged as heire or inheritable to any person, by reason of any former right, title, interest or cause, had, made, discended or growen, before their seueral deraignement or departing out of religion.

Abridgement of plaints.

The plaintife in assise, may abridge his plaint.

THe plaintife in euery assise, may at his pleasure seuer, & abridge his plaint, of any part or partes, whereunto any barre is pleaded, in such like maner as he might do in case that pleas in barre had bene made, and deuided to any certaintie or number of acres in the plaint. And the plaint for the residue of the part or parts of the lands not abridged, shal be and stand good in the lawe. 21. H. 8. 3.

Accions popular, Informations.

Accions popular sued by collusion.

IF an accion popular be sued against any man by collusion, and the plaintife in the same doe recouer against the defendant, or be barred, any other person may afterwards sue against ỹ same defendant an other accion popular with good fayth, and shall in the same recouer and haue execution, if the recouerie or barre in the first accion be found to be by couin. And ỹ defendant being attainted of couin, shall haue two yeres imprisonment, by proces of Capias and Vtlarie, to be sued within the yere after iudgement giuen, or at any time after, vntill the def. be had and imprisoned, and that aswell at the Queenes suit, as at euery other persons that will sue in that behalfe. And no releasse of any cõmon person, made to any partie before, or after any accion popular or indictment hanging, shalbe auaylable to let or surceasse the sayd accion, indictment, proces, or execution. But no couin shalbe auerred by any plaintife, in any accion popular, where the point of the same accion, or els collusion haue bene once tryed, or lawfully found, with, or against the plaintife by tryal of xii. men, and not otherwise. 4. H. 7. 20.

Within what time accions popular shalbe sued.

2 ¶ Al accions, suits, billes, indictments, or informations, taken, sued, commenced &c, for any debt, goods, or cattels forfaited, where-

unto the

unto the Queene onely, and no common person shalbe or may be intituled, by reason of any penal statute, shalbe commenced within .iiii. yeeres next after the offence or forfaiture made against the prouision of any such statute, and not after. And all popular accions, informatiõs &c. which shalbe sued for any offences or forfaitures done against the ordinance of any actes penal, made or to be made, whereby accion, suit, information &c. shalbe giuen to any person such as will sue for the Queene and for himself, or only for himself, shalbe commenced &c. for the Queene within two yeeres, & for euery common person within one yeere next after the offence or forfaiture made & not after. And if any accion, suit, bill, indictment or information concerning any of the foresaid statutes, be otherwise made then within the time before limitted, ỹ same shalbe void: but where any accion, information or indictment is limitted by any statute to be taken win shorter time, it shalbe taken win the time limitted by ỹ statute. 7. H. 8. 3.

Information exhibited in proper person.

3 ¶ Euery informer vpon any penal statute, shal exhibit his suit in proper person, and pursue the same onely by himselfe or by his atturney in Court. None shalbe admitted to pursue against any person vpon any penall statute, but by way of information, or originall accion, & not otherwise, nor shall haue ne vse any deputie at all. And vpon euery such information which shalbe exhibited, a speciall note shalbe made of the very day, moneth & yeere of the exhibiting thereof into any office or to any officer, which lawfully may receiue ỹ same, without any Antedate thereof to be made. And the same information shalbe accompted to be of record, from that time forward and not before. No proces shalbe sued out vpon any such information, vntill the information be exhibited in forme aforesaid. And vpon euery such proces shalbe indorsed aswell the parties name that pursueth the same proces, as also the statute vpon which the information in that behalfe made, is grounded. And euery clerke making out proces contrary to the tenour and prouision of this act, shal forfait for euery such offence .xl. s. to the Queene and the partie greeued, to be recouered by Accion, Information, &c. wherein no Wager, Essoyne, ℔. or Iniunccion. &c. 18. El. 5.

Information, originall acciõ. No deputies.

A note of the day, moneth and yere.

Indorsement of the information.

4 ¶ No such Informer or plaintife shal compound or agree with any person ỹ shal offend, or shalbe surmised to offend against any penall statute for such offence committed, or pretended to be cõmitted, but after answere made in Court vnto the information, or suit in that behalfe exhibited or prosecuted, nor after answere, but by the order or consent of ỹ Court, in which ỹ same information or suit shalbe depen-

No Informer shal compound with the defendant but by cõsent of the Court.

depending. And if any such Informer or plaintife shall willingly delay his suit, or shall discontinue or be nonsuit in the same, or shal haue the trial or matter passe against him therin, by verdict or iudgement of Law: Then the sayd Informer or plaintife shal pay vnto ỹ defendant his costes, charges and damages, to be assigned by the Court, in which the same suit shalbe attempted. For the recouerie and execution wherof, euery such defendant shal immediatly vpon the same costs, damages &c. assigned, haue his Capias ad satisfaciendū, Fieri facias, or Elegit, to be awarded vnto him out of ỹ same Court, in which the same shalbe so assigned, as in other cases of execution. 18. El. 5.

Costes and damages, if the informer delay, discontinue, be nonsuit, or haue the matter passe against him.

5 ¶ If any person or persons (except the Clerks of the court only for making out of proces otherwise then is aboue appointed,) shal offend in suing out of proces, making of composition, or other misdemeanour, contrary to the true meaning of this statute, or shall by colour or pretence of proces, or without proces vpon colour or pretẽce of any matter of offence against any penal law, make any composition, or take any money, reward, or promise of reward for himself, or to the vse of any other, without order or consent of some of ỹ Queenes Courtes at West. Then he or they so offending, being thereof lawfully conuicted, shal stand on the Pillory in some market towne next adioyning, where the same offence shalbe cõmitted, in the open market time, & there remaine by the space of two houres: And shal after such conuiccion for euer be disabled to pursue, or be plaintife, or informer in any suit, or information vpon any statute popular or penal: And shall also for euery such offence, forfait x. li. to the Queene and the party greeued, to be recouered by A. I. &c. wherein no W. &c. E. P. or Iniunction. &c. 18. El. 5. S. Iustice of peace. 57.

Statutes against Maintenaunce, Champartie, Imbracerie.

6 ¶ But it shalbe lawful for euery person greeued by meanes of any maintenance, champartie, buying of tytles or imbracery, to pursue vpon any statutes prouided against maintenance &c. as he might haue done before the making of this act. 18. El. 5.

Penalties giuen to persons certaine.

7 ¶ This act shal not extend to any suit depẽding before the 8. of Februarie. 1575. Nor shal restraine any certaine person, bodie politique or corporat, to whom, or to whose vse any forfayture, penaltie or suit is, or shalbe specially limitted or graunted by any statute, and not generally to any person that will sue, but euery such person &c. may in such case sue, informe &c. as he might haue done, if this act were neuer made. 18. El. 5.

Officers bling to exhibite informations.

8 ¶ Also this act shall not extend to any such officers of record, as haue in respect of their offices heretofore lawfully vsed, to exhi-

bit in-

bit informations, or sue vpon penal lawes, nor to any officers informing or pursuing for matters only cõcerning their offices, but they and euery of them may informe and pursue in that behalfe, as they might haue done, before the making of this act. 18. El. 5. to endure to the end of the first Session of the next Parliament.

1 That certaine forfaitures due to the Queene vpon some penal statutes shalbe employed vpon the prouision of stocks of money for the poore, and houses of Correccion. See poore people. 29.

2 That the defendant shalbe admitted to haue a Tales de circũstantibus in Accions popular, See Iurours. 24.

3 That the Iury in suites vpon penal lawes, shal not be compelled to appeare at Westminster. See Iurours. 31.

Accomptants and Debtors to the Queene.

The fourme and effect of obligations made to the Queene.

ALL obligations and specialties which shalbe made for any cause in any wise concerning the Queenes Maiestie or her heires, or to her, or their vse, commoditie or behooke, shalbe made to her and to her heires, Kinges or Queenes in her or their name, by these words, Dominæ Reginæ, and to none other person to her vse, & to be payed to her highnesse by these wordes: Soluendum eidem dominæ Reginæ heredibus vel executoribus suis, with other wordes vsed in common obligations. And if any person make or take an obligation to the Queenes vse in any other maner, he shall suffer such imprisonment, as shal be adiudged by the Queenes counsell. And all such obligations and especialties so to be made, shalbe effectual in the lawe, to al purposes, and shalbe in the same nature, and effect to al intents, as the writings obligatorie taken and knowledged, according to the statute of the Staple at Westminster, haue at any time bene taken and executed against any lay person. 33. H. 8. 39.

Who shal haue the Queenes debts after her decesse.

2 ¶ All such obligations and especialties, the debt whereof being not payd nor contented in the life of the King or Queene, shal remaine and be to the heires or executours of the King or Queene, at the free libertie and appointment of the same King or Queene &c. to whom the same shalbe made. 33. H. 8. 39.

The Queene shal recouer costes and damages.

3 ¶ The Queene in all suites to be taken vpon any specialtie made to her grace, or to any to her vse, shall recouer her iust costes and damages as other common persons vse to doe, in suites for their debtes. 33. H. 8. 39.

4 ¶ In all aceions, & suites to be taken, or pursued in any of the courts of the Eschequer, Duchy of Lancaster, or Wards and Liue-

Debts due to the Queene by attainder, forfaiture, gift, &c.

ries for the recouerie of any debt, which shal appertaine, accrue, or be to the Queene, by reason of any attainder, outlarie, forfaiture, gift of the partie, or by any other collaterall meanes: It is sufficient to alledge in the said suit generally, that the partie to whom the said debt was due or did belong, such yeere and day did giue the same debt to the Queene, or was attaynted, outlawed, or other offence, forfaiture, or thing committed, by reason whereof the said debt did accrue, and ought to remaine and come to the Queene, and the same matter so alledged in generaltie without shewing the circumstance thereof, shalbe of as good effect in the lawe to al intents, as if the whole matter were alledged in euery point. 33. H. 8. 39.

The Queenes suites shalbe preferred.

5 ¶ If any suit be commenced, or any proces be awarded for the Queene, for the recouery of any her debts, the same shalbe preferred before the suit of any other person, and the Queene, her heires and successours, shall haue first execution against any defendant for her said debtes before any other person, so alwayes that her suit be commenced or proces awarded for ỹ said debt at the suit of ỹ Queene, &c. before iudgement giuen for the said other person. 33. H. 8. 39.

Lands entailed, chargeable to the paiment of ỹ Queenes debtes.

6 ¶ All lands &c. and hereditaments the which shall come or be in or to the hands or seisin of any person to whom the same shall discend, reuert or remaine in fee simple or in fee taile, generall or speciall, by, from, or after the death of any of his auncesters as heire, or by the gift of any his auncesters, whose heire he is, which said auncester shall be indebted to the Queene, or to any other person to her vse, by Iudgement, Recognisaunce, obligation or other specialtie, the debt whereof shall not be contented and payd, shal be and stand charged to and for the payment of the same debt, and of euery part thereof. And our sayd soueraigne Lady, her heires and successours, shall not be barred or delayed to demaunde and receiue her lawfull debtes and duties against any of her subiects as heire or heires to any person indebted to her highnes or to other persons to her vse, albeit this word (Heire) be not comprysed in such recognisance, obligation or specialtie: or that any such person shal alledge that he hath not any manors, lands, or hereditaments to him discended, but onely such as be entailed or giuen to him by any his ancesters, to whom he is heire. But the Queene her heires and successours may at her &c. pleasure, demaund and recouer her said debt against any executour or executours, administrator or administrators, of any such person indebted, if he or they shal haue assets in his or their hands in deed or in law. 33. H. 8. 39.

Specialties made to the Queene without this word (Heire.)

7 ¶ But if the landes and hereditaments, or any of them, shalbe

recouered

recouered from the possession of any such person, by any iust or former title, without fraude or couin, which be chargeable as is afore-said, then they shalbe cleerely discharged of the paiment of the said debts and of euery part thereof. 33. H. 8. 39.

Lands recouered by former title.

8 ¶ If any person of whome any such debt or duetie shalbe demaunded, shewe in any of the said courtes, sufficient matter in lawe, reason, or good conscience, in discharge of the said debt, or why such person ought not to be charged with the same, and the same matter so shewed be sufficiently proued, in such one of the said courtes, as he shal be impleaded or troubled for the same, then the said courts haue full power to allowe the same proofe and clerely to discharge euery person that shalbe so impleaded. 33. H. 8. 39.

Vpō sufficient matter proued the court may discharge the debtor.

9 ¶ If any lands &c. which shalbe charged to or with the debt of our said soueraigne Lady her heires or successors, shalbe in the seisin of diuers persons, other then the obligor or obligors, then all the said lands &c. & euery parcel of them, shalbe wholly & in no wise seuerally chargeable with the paiment of the said debt & duetie. 33. H. 8. 39.

Where the Queenes debtors landes come into seuerall mens hands.

10 ¶ Euery person appointed to be Treasorer, or general or particular Receiuor, Collector, or Bailife, or minister accomptant to the Queene, shall before his entry, executing, vsing, or exercising of his office, whereunto he shalbe so appointed, together with suerties, acknowledge, & make sufficient & lawfull bonds to the Queene, in such court of record, where ỹ same officer shalbe accomptable & chargeable, that he, his heires, executors, administrators, assignes or deputies, shal truly accompt, & pay al such sūmes of money as shal come to his hands, or shal, may or reasonably might be charged with, concerning his office, to the Queenes vse, win the circuit of his receipt, at such or like dayes & times, & in such maner as is hereafter expressed to be cōteined in ỹ conditions of euery of the said bonds, vpon pain of forfaiture of his office & of his letters patents of the same office. 7. Ed. 6. 1.

Officers bound with suertie for their true accompt and paiment.

11 ¶ Euery Receyuer of the Queenes landes, rentes, and reuenues, or his deputie, shal yeerely make his seueral preceptes to all and singuler the Collectors, ministers, and Baylifes accomptant within the circuit of his office, commaunding them on the Queenes behalfe by the same precept to appeare before him personally, or by their sufficient deputie or deputies, for whom they wil answer, within the county where the same offices, bayliwikes, &c. or collections doe lie, at a certaine day and place in the same precept to be limitted, and to pay to ỹ Queenes vse such summes of money as they ought to doe, by reason of any of their said offices being due to the Queene,

Receiuers preceptes to the accomptants.

at or before the feast of Easter, which they haue or may by any lawful meanes receiue, within or by reason of their said offices, & the same precepts shalbe seuerally deliuered to euery of ỹ said officers accõptant, or to their deputies, or els be left at their dwelling houses, or at the manor or place where their receipt is, or ought to be, xii. dayes at the least before ỹ day of apparance to them giuen in ỹ same precept. And if any of the said ministers accomptants, after any such precept made by any such receiuer, & deliuered or left in fourme aforesaid, do make default at the same day & place assigned, & being thereof lawfully conuicted in the court where the reuenue shalbe answered, he shall for the first offence forfait to the Queene his whole fee for that yere, wherein he shal so make default, or the value thereof, & for non payment of the said money due & payable at or before ỹ said feast of Easter vnto the Queene, within or by reason of his aboue said office, collection or bailliwick, shall forfait for ỹ first offence of non paymẽt vi. d. of the pound in the name of a paine, for euery moneth after the said day of apparance, vntill the same money shalbe by him or his deputie payd to the hands of the said receiuer, to the Queenes vse. And after the first default of apparance made by any of the said officers, & an other like precept by ỹ said Receiuer be made & deliuered or left in forme aforesaid, then ỹ said officer making againe default, & being therof lawfully conuicted as is aforesaid, for the secõd default of non apparance shall forfait to the Queene his office and fee. And for the said second offence, in the non payment of the said money payable by reason of his office, at or before the said feast of Easter, shall forfait xii. d. of euery pound, in the name of a pain for euery moneth after the said last day of apparance, and default made as is aforesaid, vntill the same money shall be by him or his deputie, payd to the handes of the said Receiuer to the vse of the Queene. 7. Ed. 6. 1.

The forfaiture where the accomptant maketh default.

Second default.

Auditors precepts to the accomptants.

12 ¶ Euery Auditour of the Queenes, of her lands, possessions, rents, and reuenues, for the time being, or his sufficient deputie, hath ful power perely to make his precepts to al Ministers, Collectours and Baylliffes accomptants, commanding them in the behalf of our said soueraigne Lady, to appeare and accompt before him personally, or els by their sufficient deputie or deputies, at a place certaine, within the Countie where the same landes and possessions do lye, at the Queenes Audite to be holden there yerely, betweene the feast of S. Michael the Archangel, and the Natiuitie of our Lord God, of and for all rents, reuenues and profits, due and payable within, or by reason of their said offices &c, at or before the feast of S. Michael the

Archangel

Archangel next before the same Audit, expressing in the same precepts, the time and place, when and where the same Ministers, Collectors and Bailliffes accomptable, or their sufficient deputies, for whome they will answere shall appeare, the same precepts to be deliuered to the same ministers &c. accomptable, or their deputies, or left at their dwelling houses, or at the manor or place where their Collections are or ought to be, twelue daies at the least, before the daye of apparance to them prefixed in the same Precepts. And if any Minister &c. accomptant do not appeare before the sayd Auditour or his deputy at the said Audite, according to the said precept, or els if he do appeare and refuse to accompt for his said receipt &c. before the said Auditor &c. and being thereof lawfully conuicted in the Court where the reuenue shalbe answerable, he shall for his first offence forfaite to the Queene his whole fee for that yeere, wherein he shall so make default, or the value thereof. And for the non payment of the said money due and payable within his collection &c. at or before the said feast of Saint Michael the Archangell, shall forfeite to the Queene for his first offence sixe pence of euery pound, in the name of a paine, for euery Moneth after the said daye of apparance and default made, as is aforesaid, vntill he or his sufficient deputie shall accompt before the said Auditour or his deputie, for his said Collection &c. And also pay vnto the handes of the said Receiuor euery such Summe of money, as shalbe iustly found due by the said accomptant before the said Auditor &c. to the Queenes Maiesty, vpon the foote and determination of his accompt. And after the first default of apparance made before the said Auditour &c. by any of the said Officers accomptant being so warned as is aforesaide, and after another like Precept made and deliuered or left in fourme aforesaid, then the said Officer that so shall make againe default of apparance, for the said second offence in making default in his apparance, and being thereof duely conuicted in the Court where the reuenue of his said Office shall be answerable, shall forfeite to the Queene his Office and fee. And for the second offence in the non payment of the said money due and payable by reason of his receipt &c. at or before the said feast of Saynt Michael, shall forfeite to the Q. xii.d. of euery pound in the name of a pain, for euery Moneth after ẏ said last day of apparance & default made, as is aforesaid, vntill he or his sufficient deputie, shal accompt before ẏ said Auditor or his deputie, for ẏ said receipt, colleccion, or bailiwike, & also pay vnto ẏ hands of the said Receiuor or his deputie to the Queenes vse, al such summes

xii. dayes warning.

If the accomptant make default.

Second default.

ſummes of money, as ſhall be iuſtly founde due by the ſaid accomptant, vpon the foote & determination of his ſaid accompt. 7. Ed. 6. 1.

Officers' accõptants concealing dueties.

13 ¶ See the ſaide ſtatute of 33. H. 8. 39. if any Bailife, Reeue, or other Officer accomptant of the Queenes, vpon the declaration of his accompt, doeth willingly conceale & withdraw any rent, reuenue, fine, harriot, or other caſualtie whatſoeuer it be, of the which he ought to haue made accompt, & that duely proued before the head Officer of the court where &c. he ſhall loſe his Office and fee, and three times ſo much as he hath concealed.

The Queenes bailiffes may diſtraine for arrerages.

14 ¶ Euery Receiuor, Collectour and Bailyffe of any the Queenes landes, rentes, or reuenues, for lacke of payment and leuying of their ſayde rentes, yſſues, and reuenues within their offices, haue power to diſtraine for the ſame, and to order the ſame diſtreſſes in ſuch ſorte, as any officer of the Eſchequer, for leuying of the Queenes reuenues, anſwerable in the ſame Court, heretofore haue done, and may lawfully doe, deliuering to the party diſtrained the ſurpluſage of the value of euery ſuch diſtreſſe (if any ſhalbe) the Queenes dueties being firſt paide, and the diſtrainant anſwered of reaſonable coſtes. 7. Ed. 6. 1.

Within what time the Receiuors ſhall make paiment.

15 ¶ Euery Receiuor of the Queens lands, rents, reuenues &c. ſhall make ready & full payment yerely to the Treaſorer, or general Receiuor of the Court, where the ſaid reuenues ſhalbe anſwerable, or otherwiſe as he ſhalbe appointed by ſufficient warrãt, of all ſuch ſũmes of money as he ſhall knowe to be due to the Q. & can by any lawful meane get or receiue of ẏ rents or reuenues of our ſaid ſouereigne Lady, within or by reaſon of his office, being due at or before the feaſt of Eaſter, by the xx. day of June then next following at the fartheſt. And alſo ſhall make like payment yeerely of al his like receipts of the rents &c. that ſhalbe due at or before the feaſt of Saint Michael the Archangel by the xx. day of January then next folowing at the fartheſt, vpon paine of forfaiture for euery default at any of the ſaid dayes, two pence of euery pound for euery day that the ſaid money ſo by him ſhalbe vnpaid. 7. Ed. 6. 1.

When the receiuors ſhall accompt.

16 ¶ Euery of the ſayde Receiuours, or their deputies for whõ they will anſwere, ſhall enter into their accompt yerely in the terme of Saint Hillarie, and fullye finiſh the ſame before the tenth day of March then next following, and make full & ready payment of the money that ſhall appeare to be due vpon the foot of the ſame accõpt, before the twentie day of the ſayd moneth of March, vpon payne of forfayture to the Queene their offices & fees, & iiii. pence of the pound

for

for euery day that they shall withhold the sayde money. 7.Ed.6.1.

17 ¶ All Treasorers, Chamberlaines, & generall Receiuors of any of the Queenes Courts of reuenue for the time being, & al Customers, & Collectors of customes, or certaine & stalled Subsidies within any Port, Hauen, or Creeke of the Realme of England, which now be or hereafter shalbe, within ten dayes next after notice to him or them giuen from the Queene, or sire of her priuie Counsell, in writing signed with their hands, shall by themselues, or their sufficient deputies for whom they will aunswere, declare in writing, what summes of money then being due vnto our sayd Soueraigne Ladie, be at that time in his or their handes, and shall make ready & full payment of all the said summes, as then shall remaine in his or their handes (ouer and aboue the ordinarie payments and summes of money conteined in sufficient warrants remayning in their offices, and being in their full force, and not lawfully countermaunded, nor reuoked to their knowledge,) to the vse of the Queene, at such tyme and in such sorte as they shalbe commanded by sufficient warrant, vpon paine of forf. of his or their office or offices. 7.Ed.6.1.

These accomptants shall declare what money they haue, and make ready payment.

18 ¶ The same Treasorers, Chamberlaines, & generall receiuors, by them selues or their deputies for whom they will answere, shal yerely before ỳ xx. day of June make a perfect accõpt of al such money or treasure, as hath come to their hands to the Queenes vse, at or before the xx. day of March, then next before the said xx. day of June, and shall make a perfect declaration in writing of the money remaining in euery of their hands, to the Q. or to her priuie counsel, yerely before ỳ last day of June thẽ next folowing, & make paymẽt of the same at such time, & in such sort, as they shalbe cõmanded by sufficient warrant, vpon pain of forfaiture of their offices. 7.E.6.1.

Within what time these accomptãts shall make their accompts yerely.

19 ¶ If any auditour or his deputie, which ought to take the accompt of anye Treasorer, Chamberlayne, Receiuor, or other officer accomptable before him, do refuse or willingly delay the taking of the same accompt, in such wise as it cannot be finished within the tyme appointed by this act, then he being thereof duly conuicted in the court where the reuenue or charge of the same accõpt shalbe answerable to the Q. shall lose such like forfaiture as the Treasorer, Chamberlaine, Receiuor, or other officer aboue said ought to do by this act, for not accompting of & for their charges & office or offices, And thereby the same Treasorer, Chamberlaine, Receiuor & other officer that should accompt, and shalbe refused or delaied, shall be discharged of any payne, losse or forf. for not accompting. 7.Ed.6.1.

If the Auditor refuse or delay to take the accompt.

20 ¶ The

The copy of ꝑ accompt deliuered to the accomptant.

20 ¶ The duplicate or copie of euery accompt that shalbe made by any Treasorer or Receiuer, or by their deputies in forme aforesaid within conuenient time after the finishing of the same, and at the reasonable request, and costes of such accomptant, shalbe deliuered vnto them subscribed with the hand of the Auditour that shall take ꝑ same accompt, or of his deputie &c. vpon paine that the same Auditour shal forfait to the Queen for euery such default, x.li. 7. Ed. 6. 1.

Bishops for tenthes.

21 ¶ But this act shall not charge any Archbishoppes, or Bishops to make any bondes, or to make their accompt and paiment of the tenths arising within any of their dioceses due to the Queen, in any other maner then they haue bene charged or accomptable and chargeable by the lawes and statutes of this Realme. 7. Ed. 6. 1.

Sherife. Escheator. Collectour.

22 ¶ Neither shal this act extend to touch, or charge any Sheriffe, Escheator, or collectour of any Dismes, Quindisimes, beneuolences, Contributions or Subsidies, (subsidies of Tonnage & pondage onely except) but ꝑ euery of thē may exercise their said seueral offices, & pay such summes of money, as any of them shalbe charged vpon by their said seueral offices, in like sort as euery of thē haue vsually done, or ought to do if this act had neuer bene made. 7. Ed. 6. 1.

Collectour of fifteens, subsidies and other taxes.

23 ¶ Euery high Collectour of any fifteen, subsidie or other taxe or lone, shall within three moneths next after such times as the same shalbe due, & payable to the Q. her heires or successours by any statute, ordinãce, or other meane, & by ꝑ same Collector receiued, truly pay the same to ꝑ Q. vse, at such place, & to such person as shalbe named for the same, vpon paine to forfeit to the Q. her heirs & successors, for euery poũd so being receiued, & after that retained, kept, or layed out for gaine, & not payed within iii. moneths to the Queenes vse, as is aforesaide, foure shillings for euery moneth that the same money shalbe retayned, kept, or laied out for gaine, and also shall lose his office concerning the same, and all profites thereunto belonging. And the Queene shall at her pleasure, charge the said Collector, vpon his accompt, with the penaltie and forfaytures aboue rehearsed, or els recouer the same by Accion, Bill, Plaint, or suit of debt against the same Collectour, his heires, executours or Administrators, wherein no W. &c. E. or P. &c. 34. H. 8. 2.

The collectors payment being refused sufficeth

24 ¶ If any of the sayde Collectours tender payment of all such money by them receiued to the Queenes vse within the sayd iii. moneths, in such place, & vnto such person as shalbe charged with the receipt of ꝑ same, & do as much as in him thē shalbe for to make true payment thereof, & cannot be thereunto admitted by reason of

importunate

importunate busines, or other lawful impedimēt in him that should receiue the same, then the same Collectour &c. shall not be charged with, or incurre any danger contained in this acte. 34.H.8.2.

25 ¶ The heire of any Collectour aforesaid, or of any Receiuor of the Eschequer, Duchy of Lancaster, or court of wardes and liueries, shall not be charged by reason of this Act, but onely for & in such lands &c. or hereditaments, which he shall haue by discent in fee simple, or fee taile, or by gift, or els by any other assurance made to any such heire onely by couin from the said Collectour, or Receiuor, or any of their assignes, and in euery such case, the Queens maiestie her heires and successours shal haue execution onely of and in such lands &c. or hereditaments discended, giuen or otherwise assured as is aforesaid, vntill such time as her Maiestie &c. be fully satisfied of euery such summe of money due by any such Collector or Receiuour. 34.H.8.2. How farre the Collectours heire shalbe charged.

26 ¶ The Executors or administratours of euery such Collectour, shall not be otherwise charged by this act, but as executors & administrators should be chargeable by ẏ order of ẏ cōmon lawe, in accions of debt vsed against them as executors or administrators. 34.H.8.2. How farre the Collectours executors or administratours shalbe charged.

27 ¶ Where the heire of any of ẏ Queenes Collectors, Receiuors or debtors shalbe charged for his fathers or ancestours debts or dueties whose heire he is, whereby ẏ land discended or giuen to him by couin to defraude the Queenes execution therof is put in execution, then such heire shall and may haue his accion of debt against the executors or administrators of his said father or auncestor, & shal haue executiō of ẏ goods & cattels of ẏ said father or ancestor being in the hands of the said executors or administrators at the time of ẏ said accion brought, in which acciō no W. &c. E. or P. &c. 34.H.8.2. The heire being charged shall haue remedie against the executors. &c.

28 ¶ This act of 34.H.8.2. doth not extend to the Collectors of the Queenes Custome, nor of the subsidie of Tonnage & Pondage, which be accomptable yerely in the Queens Eschequer. And this act was prouided for Receiuors also, but the said Statute of 7.Ed.6. appointeth another order of accompt and paiment to them, and also other penalties, and See hereafter. 34. Collectors of the custome of the subsidie of tonnage and pondage.

29 ¶ All landes, tenements, profites, commodities, and hereditaments which any Treasorer, or Receiuor, in, or belonging to any of the Queenes courtes of the Eschequer, wardes and liueries, or duchie of Lancaster, Treasorer of the chamber, Cofferer of the houshold to the Queenes Maiestie, her heires or successours, Treasorer These accomptants lands liable to the payment of the Queens debts

ſoꝛer foꝛ the warres, Treaſoꝛer of any foꝛt, Towne, oꝛ caſtel where any gariſon is oꝛ ſhall be kept, Treaſoꝛer of the Admiralty oꝛ nauie, treaſoꝛer, Undertreaſoꝛer, oꝛ other perſon accomptable to the Q. Maieſtie, her heires oꝛ ſucceſſours foꝛ any office oꝛ charge, of, oꝛ within the Mint, treaſoꝛer oꝛ receiuoꝛ of any ſũmes of money in pꝛeſt, oꝛ otherwiſe foꝛ the vſe of the Q. Maieſtie her heirs oꝛ ſucceſſoꝛs, oꝛ foꝛ pꝛouiſions of victual, oꝛ foꝛ foꝛtifications, buildings oꝛ woꝛks, oꝛ foꝛ any other pꝛouiſiõs, to be vſed in any ẏ offices of the Q. oꝛdinance & artillery, armoꝛy, wardꝛope, teuts & pauilions oꝛ reuels, Cuſtomer, Collectoꝛ, Fermoꝛ of Cuſtomes, ſubſidies, Impoſts oꝛ other dueties within any poꝛt of the Realme, Collectour of ẏ tenths of the Clergie, Collectoꝛ of any Subſidie oꝛ Fiften, Receiuoꝛ generall of ẏ reuenues of any County oꝛ counties anſwerable vnto the receipt of the Eſchequer, oꝛ in the court of wardes & liueries, oꝛ the Duchie of Lancaſter, Clerke of the Hamper, now hath oꝛ at any time hereafter ſhal haue, within the time whileſt he oꝛ they oꝛ any of them ſhall remaine accomptable, ſhal foꝛ the paiment & ſatiſfaction vnto the Q. Maieſtie, her heires & ſucceſſoꝛs, of his oꝛ their arrerages, at any time to be lawfully (accoꝛding to ẏ Lawes of this realme adiudged & determined, vpon his oꝛ their accompt) all his due & reaſonable peticions being allowed, be liable to the paiment thereof, & be put in execution foꝛ the payment of ſuch arrerages, oꝛ debts to be ſo adiudged & determined vpon any ſuch Treaſoꝛer, Receiuoꝛ, Teller, Cuſtomer, Collectoꝛ, Farmer, Officer oꝛ accomptant as is beꝛe named in like & in as large maner to all intents, as if the ſame Treaſoꝛer, Receiuoꝛ, oꝛ Collectoꝛ &c. vpon whom any ſuch arrerages oꝛ debtes ſhalbe ſo adiudged, had ẏ day he became firſt officer oꝛ accomptant, ſtand bound by writing obligatoꝛy, hauing the effect of a ſtatute of the Staple, to her maieſtie her heires oꝛ ſucceſſoꝛs foꝛ ẏ true anſwering & paiment of ẏ ſame arrerages oꝛ debts. 13. El. 4.

Where the Queene may ſel the accomptants lands.

30 ¶ If any Treaſoꝛer, Receiuour, Collectour &c. oꝛ other perſon accomptant beꝛe mencioned, which ſhal receiue oꝛ be chargeable with any money oꝛ treaſure of the Queene, her heires oꝛ ſucceſſours, and ſhall vpon the determining of his accompt, (all his due peticions to him vpõ the ſame accompt being allowed) oꝛ by reaſon of any farme as afoꝛeſaid be found in arrerages, oꝛ to owe vnto our ſaid ſoueraigne Lady, her heirs oꝛ ſucceſſoꝛs any ſumme of money, & ſhal not within the ſpace of vi. moneths next after his accomptes finiſhed, oꝛ debt knowen, (hauing allowance of his due peticions) truely paye al ſuch arrerages as he ſhall owe vpon determination

of

of his accompt, or vpon his debt knowen, then it shall bee lawfull to the Queene, her heires and successours, at anye tyme after the sayd sixe moneths ended, to make sale by her or their letters patents vnder the great seale of England, of so much of the lãds, tenements, & hereditaments of euery such accomptaunt or debtor, as may suffise our sayd soueraigne Lady &c. for the satisfaction of his debt or arrerages, vntill her Maiestie &c. be by such sale fully satisfied of such arrerages and debt to be founde vpon accompt or farme &c. And if any ouerplus of money shalbe reserued or had, vpõ any such sale, then the same shall be deliuered to the accomptant or farmer, or his heires, by the officer that shall receiue the money, vpon anye of the said sales, without any other warrant in that behalfe to be obtained, and all the said sales to be made by the Queene &c. shalbe good and auailable in law against the party accomptant indebted, & his heires clayming as heires, and against the Queene her heires & successors, notwithstanding any former charge or incumbrance to her Maiestie, &c. by the person for whose debt the same shalbe sold. 13. Eliz. 4.

The sale good against the Queene and accomptant.

31 ¶ If any person accomptant or indebted, as is aforesayd, shall at any time after he shall become accomptant or chargeable, as is aforesayde, purchase, or cause to be purchased, any landes, tenementes or hereditaments, and cause the assurance thereof to be made in the name of any other person or persons, where the same is in deede ment to the vse, profite or behoofe of such person accomptant or indebted or of any other person, and the same maner of purchasing and secret vses &c. shalbe found by office or inquisition, then all and euery landes &c. so to be purchased or caused to be purchased, shalbe taken and vsed for the satisfaction of the arrerages & debt of euery such accomptant or debtor to al intents, as though the person indebted were thereof actually seised of such estate as was conueied to any person by any such accõptant or debtor, or by his means as is afore said. And all sales to be thereof made by the Queene &c. for satisfaction of such debt or arrerages, as shalbe found to be due and owing to her, shalbe of the like effect, and be vsed in such like maner as is before (30) expressed. 13. Eliz. 4.

Accomptants' purchase landes in others names.

32 ¶ All landes, tenements, and hereditaments which any accomptant before named, hath heretofore sithence the beginning of the Queenes reigne, purchased, or caused to be purchased, to the intent the same shoulde not be liable as is aforesaide (the couin being first found by office &c.) shall and may be seised by her Maiestie, her heires or successors, and retayned by her &c. in fee simple, to be

Landes purchased since the beginning of the Queenes reigne.

be ſold or otherwiſe vſed at her and their pleaſures, towards the ſatisfaction of all arrerages alreadie ſet or determined, or that hereafter ſhalbe determined vpon his accompt (al reaſonable and due petitions being allowed) at ſuch rate and value as the ſame were purchaſed, or cauſed to be purchaſed, by any Treaſorer, Receiuor, Teller, &c. or by any other perſon to their vſe. If the lands ſo to be ſeiſed or ſold by her Maieſtie, her heires or ſucceſſors, as is laſt aboue mencioned, do ſurmount after the rate and value aforeſaid, the debt & arrerages to be determined vpon the accompt of any Treaſorer, Receiuor or accomptant before named, then her Maieſtie &c. ſhal ſeiſe only ſo much as ſhould amount after the rate & value aforeſaid, to ỹ iuſt payment of ſuch debtes and arrerages, as hath bene or ſhall be determined or adiudged vpon his accompt, as is aforeſayd, 13. El. 4.

No Biſhops lands chargeable.

33 ¶ No biſhop hauing the collection of any ſubſidie or tenthes or any his landes &c. whereof he is ſeiſed in the right of his biſhoprycke ſhall be charged by vertue of this act for any arrerages, of tenthes or ſubſidie, otherwiſe then he might lawfully haue bene before the making of this act. 13. El. 4.

Accomptants not exceeding CCC. li.

34 ¶ This act ſhall not extend to charge any Treaſorer, Receiuor, or accomptãt aforeſaid, hauing any yerely receipt, nor any their lands &c. whoſe yerely receipt, collection & charge, or whoſe whole receipt from the beginning of his charge, is not, or hath not bene, or hereafter ſhal not be aboue the ſumme of CCC. li. in any other maner, then he might lawfully haue bene charged before the making of this act. 13. El. 4. See before 28.

Accomptants which are not to make preſet paiment.

35 ¶ But becauſe the Treaſorer of the Chamber, & Cofferer of the houſhold of the Queene her heirs and ſucceſſours, treaſorers of warres or gariſons, Treaſorers of the nauy, treaſorers or receiuors of any ſummes of money for prouiſion of victuall, or for fortifications or for building, and maſter of the wardrope, are by order of their offices and charges after their accompts ended, to diſburſe the debt remaining vpon their accomptes, in ſuch charges as are neceſſarily to be prouided in their offices and charges, ſo as they are not of ſuch ſummes of money to make preſent payment as other accomptants are, therefore this act ſhall not extend to giue any authoritie to make ſale of any landes &c. for any ſuch debt to be iudged in anye of their accomptes laſt mencioned, vnleſſe the Queene, her heires and ſucceſſours vpon the determining of their accomptes (all their due peticions to them &c being allowed) commaunde preſent payment thereof, or otherwiſe eſtſoones require a

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newe accompt of the same debt so remaining in any ỹ accomptantes mencioned in this branche, and that then the same debt or any part thereof, shalbe founde to be owing and vnexpended in the charges pertaining to any of their said offices, and the same debt remaine vnpaide by the space of vi. moneths after such request or commandement. 13. Eliz. 4.

Sherife, Escheto, bailife of liberties.

36 ¶ This act shal not extend to charge any Sherife, Escheto, or bailife of liberties, or the lands, tenements or hereditaments of any of them, nor of any their heires or assignes, for any thing touching their office of Sherifwick, Escheotship or Bailiwick, nor for any money by them receiued by reason of any their said offices, in any other maner, then they might lawfully haue bene charged, before the making of this acte. 13. Eliz. 4.

Lands purchased bona fide.

37 ¶ This act as touching onely the sale of any lands or tenements, shall not extend to any lands &c. which any persons now (vz. 2. April. 13. Eliz. Anno Do. 1571.) haue or enioye, and haue purchased or obtained Bona fide, and not being priuie or consenting to any such intent, to defraude the Queene, as is aboue said. 13. Eliz. 4.

The partie grieued may haue his trauerse.

38 ¶ It shalbe lawfull to euery person, whose lands &c. shall by any office or inquisition, be found to be fraudulently conueied as is aboue said: to haue his lawfull trauerse to euery such office &c. And if it be found with the partie that tendereth the trauerse, then he shal haue the said lands out of the Princes hands without any petition, liuerie, or Ouster le main, or any other suite to be made or vsed, and the same being found for such person, so trauersing, the same lands &c. shalbe adiudged as not lyable, chargeable, nor to be sold by force of this statute. 13. Eliz. 4.

If the Queene doe sel the debtors lands, the suerties be discharged.

39 ¶ If the Queene &c. shal by any sale of lands by force of this statute, be fully satisfied of ỹ debt or arrerages of any such accomptant or debtor or any part thereof, then his suerties shalbe discharged of so much of the said debt, forfaiture and arrerages, as so shalbe satisfied, and for the residue onely shalbe ratablie (according to their abilities) charged. 13. Eliz. 4.

Vnder collectors of tenths and subsidies.

40 ¶ The foresaid statute made 13. Eliz. 4. to make the lands, tenements, goods and cattels of Tellers, Receiuors, &c. to be liable to the paiment of their debts, shall to all intentes as amplie extend and be construed to extend to all such vnder collectors of tenths and subsidies of the Clergie, and to their lands, tenements and hereditaments, goods and cattels, for satisfying of such money as they haue collected, or shall collect of the said tenths and subsidies to the

vse of ỹ Queenes Maiestie, her heires and successors (of what yeerely summe soeuer the charge of their collection is or shalbe) in like fourme as it doth extend to the Tellers, Receiuors, and other persons accomptant, whom the said acte specially and expresly concerneth, and in as ample wise as if such vnder collectors were immediatly accomptant to the Queene, &c. 14. Eliz. 7.

Vnder collectors of tenths accomptable in the Eschequer.

41 ¶ And euery such vnder collector shall vpon proces awarded out of the Eschequer, be chargeable to accompt for his receipt of such tenths and subsidies, as any Receiuor immediatly accomptant to her Maiestie is or ought to be. And euery Archbyshop and Byshop, and Deane and Chapter (Sede vacante) to whose charge the collection of such tenthes or subsidies, doth or shall appertaine, shalbe discharged of so much of the saide tenthes and subsidies, as shalbe satisfied to the Queenes Maiestie, her heires or successors, of or by the lands, tenements, or hereditaments, goodes or cattels of such vnder collector or his heires, without any other warrant whatsoeuer to be obteined. 14. Eliz. 7.

Accomptants for dismes not chargeable to other suites in the Eschequer.

42 ¶ If any disme or part of disme be graunted by the Clergie of the prouince of Canterburie & Yorke, to the Queene, or to her heires, after the certificat thereof into the Eschequer, & of the names of the collectors for the gathering of the same, if ỹ same collectors do come by proces before the Barons of the Eschequer, and enter in their accompt, they shall not be bound to answere bill or billes there exhibited against them by reason of the said entrie in their accompt, for any maner of cause but only for the matter touching the said accompt. But if the saide accomptant be sued in any other court, by writ, bill, or plaint, then he shal take no priuiledge, of the said Eschequer, by reason of the said accompt for any such suite. 1. Ri. 3. 14.

Confession of debt to the Queene to auoid an others execution.

43 ¶ If he that is condempned and in execution at an other mans suite, will confesse himselfe debtor to the Queene, where he is no debtor of recorde, he shalbe remaunded to the first prison, and his creditor being satisfied, he shalbe committed to the Fleete vntill he hath paied the Queene that summe confessed. 1. Ri. 2. 12.

The suerties shall not be charged solong as the principall debtor is sufficient.

44 ¶ The Queene nor her Bailifes shall seise any mans landes or rent for any debt, so long as the debtors presence or cattell will suffice to pay the debt, and the debtor ready to satisfie it, nor any mans suerties shalbe distrained so long as the chiefe debtor is sufficient, and if the chiefe debtor doth faile of paiment, not hauing, or not willing to pay, the suerties shall answere it, and if they will, they shall haue the debtors landes and rentes, vntill they be satisfied,

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Magna Charta. An. 9. Hen. 3. 8.

45 ¶ To great a diſtreſſe ſhall not be taken for the Queenes debt, nor driuen to farre, & if the debtor can finde ſufficient & conuenient ſuertie vnto the Shirife, vnto a certaine day, within which he can procure a remedie to agree for the thing in demaund, the diſtres ſhalbe diſcharged in the meane time, & he that doth otherwiſe ſhalbe grieuouſly puniſhed. 28. Ed. 1. 12. And all debts of the ſummons of the Eſchequer, that ỹ Shirife or Bailife do confeſſe receipt of, ſhalbe forthwith allowed, ſo that whether he receiued all ỹ debt or part, it ſhall neuer come in demaund or ſummons after the Shirife hath confeſſed paiment. Stat. de diſtric. Scac. 51. H. 3. And if the Shirife at the next accompt after he hath receiued ſuch debts, doe not acquite the debtor, he ſhall pay to the plaintife thriſe ſo much as he receiued, and make fine at the Queenes pleaſure, Weſt. 1. 3. Ed. 1. 19.

The ſherife hauing proces to leuy ỹ Queens debts muſt take ſuertie of the partie bezag offered to diſcharge it.

The Sherife hauing leuied the Queenes debts, ſhall diſcharge the debtor.

46 ¶ Immediatly after euery finall accompt, made & deliuered before ỹ Barons of ỹ Queenes Eſchequer, by any Shiriffes, Eſchetors, Cuſtomers, Comptrollers, & other officers accomptable, ỹ tenor of ỹ accompt of euery of ỹ ſame officers ſhalbe from time to time ſent into ỹ counties in the which ỹ ſame accomptants be officers, together with cõmiſſions directed to ỹ moſt credible, lawful & diſcreet perſons, for to inquire & make certificat of ỹ profits, which ỹ ſaid accomptants haue receiued in ỹ foreſaid Counties, in their own name, to ỹ Queenes vſe, & vpon their accõpts, haue deceitfully concealed and retained ỹ ſame, to their owne vſe, & profit. And in caſe any ſuch Accõptants be attainted of any ſuch fraudes & deceits, they ſhal forf. to ỹ Queene, treble of that, whereof they ſhalbe conuicted, and their bodies ſhalbe impriſoned, vntill they haue made fine & raunſome to the Queene, according to the diſcretion of her Iudges. 6. Hen. 4. 3.

Commiſſions to enquire of accomptants.

Accompt.

IF Bailifes which are bound to yeelde accompt to their Lordes, doe withdrawe themſelues, and haue no landes or tenementes whereby they may be diſtrained, then their bodies ſhalbe attached, ſo that the Shirifes, in whoſe bailiwickes they ſhalbe found, ſhall cauſe them to appeare, to yeeld their accompts. Marlb. 52. Henri. 3. 24.

Accomptants withdrawing themſelues.

2 ¶ If ỹ maſter do aſſigne Auditors to any Bailifes, ſeruants, chamberlaines, or other receiuers, which are bound to yeeld accõpt, and it chaunce them to be found in arrerages (all things being to them allowed) they ſhalbe arreſted, & by the teſtimonie of thoſe Auditors

Where Auditors may commit accomptants to priſõ.

ditors committed to the next gaole which the Queene hath in thoſe parties, and ſhalbe receiued of the Sherife or his gaoler, and in priſon fettered in Irons, and remaine in the ſame priſon liuing of their owne goodes, vntill they haue fully ſatiſfied their maſter of all the arrerages: But if any which is ſo cõmitted to priſon, will complaine that the Auditors haue vniuſtly charged him with receipts which he hath not receiued, or by not allowing him reaſonable expences, and will finde friendes which will vndertake to bring him before ỹ Barons of the Eſchequer, he ſhalbe deliuered vnto them, and the Sherife in whoſe cuſtodie he is, ſhall warne his maſter that he doe appeare before the Barons of the Eſchequer, at a certaine day, with the Rolles and Talys whereby he yeelded his accompt, & in the preſence of the Barons or the Auditors which they will aſſigne, the accompt ſhalbe recited, and iuſtice ſhalbe done to the parties, ſo that if he be found in arrerages, he ſhalbe committed to the Fleete, and if he flee, and will not willingly yeelde his accompt, he ſhalbe diſtrained to come before ỹ Juſtices to accompt, if he haue whereby to be diſtrained, and when he commeth to ỹ Court, Auditors ſhalbe appointed vnto him, before whom if he be found in arrerages, & will not forthwith pay the ſame, he ſhalbe committed to the gaole, to be kept in forme aforeſaid, and if he flee and the Sherife doth teſtifie that he can not be found, the exigent ſhalbe awarded againſt him vntil he be outlawed, and he which is ſo committed to priſon, is not repleuiſable, Weſt. 2. An. 13. Ed. 1. 11. See Eſcape. 1.

Ex parte talis.

1 That an accion of debt is maintenable againſt a Sherife or Gaoler which letteth an accomptant eſcape, which is committed to his gard. See Eſcape 1.

2 That Executors ſhal haue an accion of accõpt. S. Executors. 1.

3 When, where, & before whom, Collectors for the building of priſons, ſhall make their accompt. See Priſons 2.

4 For the accompt of thoſe which ſhall receiue any money for the mending of high wayes. See high wayes 10. 11.

5 For the accompt of Collectors & Surueiors for the mending of Bridges. See Bridges 4.

6 For the accompt of Collectors for the poore, and of Cenſors and Collectors for houſes of correction. See Poore 6. 26.

Accuſation.

No man ſhalbe condempned without lawfull tryall.

NO freeman ſhalbe taken or impriſoned, or diſſeiſed of his freehold, liberties or free cuſtomes, nor ſhalbe outlawed, baniſhed,

or by

or by any meanes brought to destruction, neither shall any passe, or sit in iudgement vpon him, but by the lawfull iudgement of his equalles, or by the lawe of the Realme, neither shall iustice or right be solde, denied, or differred to any man. Mag. Charta. 9. Hen. 3. 29. 5. Ed. 3. 9. And if any man be taken or put to answere without a presentment before Iustices, or some matter of record, or by due proces, or by writ originall, the same is voide & erronious. 25. Ed. 3. 4. 28. Ed. 3. 3. 42. Ed. 3. 2. See Suggestion.

Additions.

IN euery originall writte of accions personalles, appeales and indictments, where an exigent shalbe awarded, the names of the defendants shalbe put, with addicions of their estate or degree, or mysterie, and the townes or hamlets or places, and the counties of the which, and in the which, they were or be conuersant, and if by proces vpon the said originall writtes, appeales, or indictments in which the said addicions be omitted, any outlawries be pronounced, they shalbe voide, and before the outlawries pronounced, the said writtes and indictments shalbe abated by exception of the partie, whereas in the same the said addicions be omitted. But though the same writtes of accions personalles doe not agree with the records and deedes in surplusage of the foresaid addicions, yet for that cause they shall not abate, and the Clerkes of the Chauncerie (vnder whose names such writtes shalbe writen) shall not omit the said addicions, vpon paine to be punished, and to make fine to the Queene at the Chauncelors discretion. 1. Hen. 5. 5.

Additions where an exigent shalbe awarded.

2 ¶ If the offendor against whom any writ of Excommunicato capiendo, according to the statute of 5. El. shalbe awarded, shall not in the same writte haue a sufficient and lawfull addicion, according to the forme of the foresaid statute. 1. Hen. 5. Then all paines and forfaitures limited against such person excommunicate by the saide statute, by reason of ỹ said writ of Excommunicato capiendo, wanting sufficient addition shalbe voide. 5. Eliz. 23. S. Excommunication.

Addition in Excommunicato capiendo.

Admeasurement.

THe Gardein shal haue a writ of Admeasurement of dower: But yet by the Gardeins suite, (if he wil sue faintly and by collusion against the woman which is tenant in dower) the heire shal not be foreclosed when he commeth to ful age, to admeasure the dower, as it is to be admeasured by the law of this Realme. And aswell in the writ of admeasurement of dower, as in admeasurement of pasture,

Admesurement of dower.

when the suite is come to the graund distresse, dayes shalbe giuen, within the which there may be holden two Counties, at the which open proclamation shalbe made, that the defendaunt shall appeare at the day contayned in the writ, to answere the plaintife, at which day, if he doe appeare, the suit shall proceede betwixt them, And if he doe not appeare, and the proclamation be in forme aforesayd, testified by the Sheriffe, admeasurement shall be made by the default. West.2.13. Ed.1.7.

Admeasuremẽt of pasture.

2 ¶ If by a suite moued vpon a writte of admeasurement of pasture, the pasture was once admeasured, & that it chaunce after such admeasurement the pasture to be ouercharged againe by him that first did ouercharge, with mo beastes then he ought to keepe, if the admeasurement were before the Justices, the plaintife shall haue a Judiciall writ, that ỹ Sherife in the presence of the parties being sommoned (if they will appeare) shal inquire of ỹ second surcharge, which if it be found, shalbe returned before the Justices vnder the seales of the Sherife and the Iurors, and the Justices shall awarde the plaintife damages, and shall put in the estreates the value of the beasts, which he that ouercharged after the admeasurement, put into the pasture more then he ought, and shall deliuer the estreates to the Barons of the Eschequer to answere ỹ Queene. If the admeasurement were made in the Countie, then at the request of the plaintife, a writ shalbe awarded out of the Chauncery, that the Sherife shall enquire of such ouercharge, and of the cattell put in the pasture aboue the due number, and shall answere the Queene the value of them in the Eschequer. And leaste the Sherife should deceiue the Queene in this case, all such writtes of Secunda superoneratione, which be awarded out of the Chauncery, shalbe inrouled, and in the end of the yeere ỹ transcript thereof shalbe sent into the Eschequer vnder the Chauncelors seale, that the Treasorer and Barons of the Eschequer may see howe the Sherife hath answered the profit of such writs. And in like sort shal the writs of Rediſſeiſein be inrouled and sent into the Eschequer in the ende of the yeere. West.2. 13. Ed.1.8.

Administrators.

WHere a man dieth intestate, the Ordinarie shall depute the next and most lawfull friends of him which died intestate, to administer his goodes, which deputies shall haue an accion in the Queenes Court to demaund and recouer as executors, the debts due

due to him which is dead, and shall answere others in the Queenes Court, to whom the dead person was indebted & bound, in the same maner as executors shall, & also shalbe accomptable to the Ordinarie, as executors shal, in case where a testamēt is made. 31. Ed. 3. 11.

1 To whom the Ordinarie shall commit the administration of the goods of him that dieth intestate, and what he shall take for the same. See Probate of Testament. 5. 6.

Admirall and Admiraltie.

With what thing the admirall shall meddle.

THe Admirall and his deputies shall meddle with nothing done within the Realme, but onely with things done vpon the Sea, 13. Ri. 2. 5. And he that is grieued against this statute, shall haue an accion vpon the case against him which pursueth in the court of the admiraltie, and shall recouer against him double damages, and the pursuer being attainted shall forfeite to the Queene, 2. li. 2. H. 4. 11.

Where the Admirals iurisdiction doth lie.

2 ¶ The Admirals court hath no maner of cognisance, power, or iurisdiction of any cōtractes, plees, quarels, or other things made or rising within the body of the Shires, by land, water, or wrecke of Sea, but all such contracts &c. and other things shalbe tried, determined, discussed and remedied by the lawes of the Realme, and not before the Admirall nor his deputie, But the Admirall hath cognisance of the death or mayhem of a man committed in any great ship, fleeting vpon the high streame of great Riuers: onely beneath the Bridges of the same Riuers next the Sea. And also to arrest ships in the great streames for ỹ voiages of the Queene and Realme, sauing to the Queene al forfaitures & profites thereof comming. And also he hath iurisdiction in the said streames during the said voyages onely, sauing to al Lords, Boroughs and Cities, their Liberties and Franchises. 15. Ri. 2. 3.

Conseruators of the truce.

3 ¶ By the statute 2. Hen. 5. 6. like power as the Admiral hath, is giuen to him which shalbe assigned by the Queene in any Port to be Conseruator of the truce, except for the determination of the death of a man which is committed vpon the maine Sea, and the execution of the same, which is alwayes reserued to the Admiral or his generall Lieutenant. See Piracie. For the authorities delegaties in marine causes, See. Appeales.

Age.

Monage shall not helpe the disseisor or his heire.

IF a man doe purchase an Assise, and the principall disseisour dieth before the Assise doth passe, the plaintife shall haue a writ of Entry vpon disseison against the heire of the disseisor of what age soeuer he be.

he be. And in the same maner the heire of the disseisee shall haue his writ of entry against the disseisors or their heires of what age soeuer they be, if the disseisee dye before he hath purchased his writte, so that the writte shall not be abated, nor the plea delayed by the nonage of the heires of the one partie or of the other, but in that a man may without offending the lawe, fresh suite shalbe made in haste after the disseisin. And this point shalbe obserued in the right of Prelates and others to whom landes cannot by any meanes come after the death of others, whether they be disseisees or disseisors. And if the parties in pleading discend to an Enquest, and that doe passe against the heire within age, and namely against the heire of the disseisie, he shall in that case haue an attaint by the Queenes speciall fauour without giuing any thing therefore. West. 1. 3. Ed. 1. 46.

Prelates.

Nonage shall not stay an enquest.

2 ¶ If an Infant be kept from his inheritance, after the death of his father, graundfather, or great graundfather, whereby he is enforced to haue a writ, and his aduersarie doth appeare in Court, and in pleading alledgeth a feffement, or sheweth some other thing, whereby the Justices doe award an Enquest, the Enquest shal passe as though he were of full age. Gloucester. 6. Ed. 1. 2.

Suit by prochein amy.

3 ¶ In euery case where such as be within age may sue, if they be eloigned, so that they cannot personally sue, their next friendes shalbe admitted to sue for them. 13. E. 1. 15. See Wardes.

1 That a womans suit which demaundeth lands, which her husband did alien of hers, shall not be differred by the minoritie of her husbands heire, which should warrant them. See Women. 15.

2 That eche one bound apprentice within age, shal serue as if he were of full age. See Laborers. 23.

Ayde to mary the daughter, and to make the sonne Knight.

There shalbe taken of a whole Knightes fee for reasonable aide to make the sonne knight, or to mary the daughter, but xx. s. and of xx. pound land holden in Socage xx. s. and of more, more, and of lesse, lesse, after the rate. And none shall leuy such aide to make his sonne Knight, vntill his sonne be xv. yeeres of age, nor to mary his daughter vntill she be of the age of vii. yeeres, and thereof mencion shalbe made in the Queenes writte framed thereupon, when any man will demaund it. And if the father chaunce to die, when he hath leuied such ayde of his tenants, before he hath maried his daughter, the fathers executors are bound to satisfie the daughter

of

of ſo much as the father receyued for this Ayde, And if the fathers goods be not ſufficient, his heire ſhal ſatisfie the daughter. Weſt. 1. 3. E. 1. 35. And the ſame law is in the Kings caſe to make his eldeſt ſonne Knight, or to marry his eldeſt daughter, 25. E. 3. 11.

Ayde of the Queene.

IF the Queene make a Feffement, and the deede therof containeth ſo much, that another perſon by like deede or feffement ſhould be bound to warranty, the Juſtices ſhal proceed no further except they haue cõmandement from the Queene. But where the Queene hath confirmed or ratified an other mans deede of ẏ thing which was an other mans, or hath graunted any thing to an other, as much as in her is, or where a deede is ſhewed forth that the Queene hath giuen any tenement in which deede there is no clauſe of warrantie, and in ſuch like caſes, it ſhall not be ſurceaſed, but after the ſame is ſhewed to the Queene, they ſhall proceede without delay. Stat. de Bigamis. 4. Ed. 1. 1. & 2. See Aſſiſe. 5.

2 ¶ Concerning the dowers of womẽ, where any Gardeins of the inheritance of their huſbands haue the wardſhips of the gift or grant of the Queene, whether the Gardeins do holde the thing in demand, or do cal the heires of the ſaid tenements to warrantie, if they do except that they cãnot anſwere without ẏ Queene, it ſhal not therfore be ſurceaſed but the ſuite ſhall in due maner proceede. Stat. de Bigamis. 4. Ed. 1. 3.

3 ¶ A man ſhal haue but foure writs of Search for the Queene, wherof euery writte ſhalbe deliuered 40. dayes before the returne of the ſame. And then they which ſue for the Queene, ſhalbe put to anſwere & to defend the lands & tenemẽts demanded, againſt ẏ Queene aſwell as they can, whether any muniment or remembrance be foũd for the Queene or not, though the ſuite be in the Parliament, Chaũcerie, Kings bench, or common place. And by commandement vnder the great or priuie ſeale, no poynt of this ſtatute ſhalbe delayed. 14. Ed. 3. 14. *Foure writs of ſearch.*

1 Where vpon a Trauers ii. writtes of ſearch ſhal be granted. See Trauers. 4.

Alehouſe.

THe Juſtices of peace in euery ſhire, citie, town corporat, frãchiſe or libertie, or two of them at the leaſt (whereof one to be of the Quorum) haue power within the limites of their commiſſion to diſcharge common ſelling of Ale and beere in alehouſes, and typling houſes, *Juſtices of peace may diſcharge ſelling of ale or beere.*

houſes, in ſuch places where they ſhal thinke meete. 11.H.7.2.19.H.7.12.5.Ed.6.25.

The penalty of keeping alehouſes without licence.

2 ¶ If any perſon do keepe any common Alehouſe, or vſe commonly ſelling of Ale or Beere, but ſuch as ſhalbe therunto admitted in the opē Seſſions of the peace, or els by two Juſtices of the peace (whereof one to be of the Quorum) and ſhalbe bounde with ſuretie by recogniſance, againſt the vſing of vnlawfull games, and for the mayntenance of good order (for the making of which recogniſance he ſhal pay but xii.d.) The ſame ſhalbe committed by the Juſtices or two of them (wherof one to be of the Quorum) to the cōmon Goale, within the ſame Shire, Citie, Borough, &c. there to remayne without baile or Mainprize three dayes. And before his deliuerance ſhall be bound in recogniſance, with two ſureties that he ſhal not keepe any common Alehouſe, or vſe ſelling of Ale or Beere, and ſhal for his fine pay xx.s. and the certificat of a recogniſance, & the offence at the next quarter ſeſſion made by a Juſtice of peace, ſhall be a ſufficient conuiction of the offence. 5.Ed.6.25.

Alehouſes kept in faires.

3 ¶ But in ſuch Townes & places where any faires ſhalbe kept, it ſhalbe lawful for the time only of the ſame faires, for euery perſon to vſe cōmon ſelling of ale or bere in boothes or other places, for the reliefe of the Queenes ſubiects that ſhal repaire to the ſame, in ſuch maner as they haue vſed. 5.Ed.6.25. See Iuſtices of peace. 71.

Aliens, Strangers.

Aliens ſhall make no cloth.

NO perſon not borne vnder the Queenes obeiſance nor made denizen, being artificer or handicrafts mā, nor none other for him, or to his vſe ſhal make any cloth or put any wooll to worke, or make any cloth in this Realme, vpō paine to forfeit the ſame cloth, nor ſhal ſell any wares within this Realme but only in groſſe and not by retayle, and in the port, Towne or place, where the ſame artificer ſhal be dwelling, and in none other place, vpon payne to forfaite the ſame wares to the Q. and him that wil ſeiſe or ſue for the ſame by A.I. &c. wherein no W. &c. E.P. &c. 1.R.3.9.

Aliens ſhal ſell no wares but in groſſe.

Tranſporting of bowes, and vſing of ſhooting.

2 ¶ No ſtranger borne, not being Denizen, ſhal conuey into any parts out of the Queens obeiſance, wout her licēce, any lōg bowes, arowes or ſhafts, vpon paine of forf. of the ſame or the value therof & of imprizonment. Nor ſhal vſe ſhooting with long bowes within y Queenes obeiſance without her licence, vpō paine of forfaiture of y bowes & arowes wherewith he ſhalbe found ſhooting. And euery of y Queenes ſubiects may ſeiſe the ſame, &c. 33.H.8.9. See Archerie 7.

3 ¶ Euery

3 ¶ Euery Alien made Denizen, shall pay to the Queene & her heirs and to euery other person, and to all Officers of Cities, Boroughs & Townes, al such Subsidies, Customes, Tolles, dueties and other summes of money for their wares, Marchandizes and goods, as they shoulde haue payed, before they were Denizens, any graunt made, or to be made, or any statute &c. notwithstanding. But all Officers of Cities, Boroughes and Townes, wherein any such dueties &c. shalbe demanded, shall set vp in open place of such Citie, Borough or Towne, a table or tables, by which the certentie and duetie of such Custome, Tolle &c. may appeare, to the intēt nothing may be exacted, otherwise then hath bene accustomed. This acte shall not be preiudiciall to the Marchantes of the Stiliard in London, but they shall enioy such priuiledges &c. as they had before the making thereof, 22. H. 8. 8.

Denizens shall pay such dueties as thei did before they were made Denizens.

Marchants of the Stilliard.

4 ¶ All Aliens being Denizens, or not vsing any maner of handicraft, inhabiting within London, or the suburbes thereof, within Westminster, the parish of Saint Martens in the fielde, the Parish of our Lady of the Stronde, Saint Clements of Danes, Saint Giles in the field, Saint Andrewes in Holborne, the towne and Borough of Southwarke, Shoreditch, White Chappel parish, Saint Iones streete, the parishe of Clerkonwell, Saint Botelphes parish without Algate, Saint Katherines, Barmondsey streete, or within ii. miles compasse of the sayd Citie of London, or Parishes, shall be vnder the search and reformation of the Wardens and Fellowship of the handicrafts which they do occupie within the sayd Citie, with one substantiall Stranger beyng an housholder of the same crafte by the same Wardens to be chosen. And those Wardens and stranger shall appoynt to euery Alien beyng a blacke Smith, Cowper, Poutchmaker or Ioyner (taking nothing therefore) a marke, which he shall put vpon his worke, ware, or vessel: and if any Stranger vsing the mystery of Smithes, Ioyners or Cowpers, shal make any ware or vessels cōcerning the same mysteries, & do not put such marke to euery of them, before that they be put to sale or vse, without taking any thing therfore, he shal forfaite the double value of the same wares and vessels to the K. & I. to be recouered by A. I. &c. wherin no W. &c. E. or P. &c. But if the sayd Wardens &c. refuse to marke the wares of any Stranger requesting the same, then the Stranger may put to sale his sayd wares. 14. H. 8. 2.

Aliens within London or two miles compas, be vnder the search of the wardens of the mysteries they occupie.

Euery Alien shall haue a marke to set vpō his worke.

5 ¶ The wardens of euery such mystery, calling to thē one strāger of the same mysterie, being a housholder, haue power to search, viewe,

Wardens shall search al aliens worke.

view, and reforme in London and other places aforesayd, all wares of workemanshippes made by handycraft men beyng Aliens. And if vpon such search, they shal finde & adiudge any vessels, or ware in the possession of the workers or owners falsely and deceiptfully made to the hurt of the Queenes people, then the same worker or owner in whose possession the same false & deceiptfull wares shalbe found, shal forfayte the same to the Queene, and the first finder thereof, to be recouered in any of the Queenes Courtes by accion of Detinue, wherein no W. E. or P. &c. 14. H. 8. 2. And if any Stranger Artificer that is a housholder beyng required by the Wardens, gouernours or their deputies doe refuse to goe with the sayd Wardens to make search in forme aforesayd, & that be proued before the Chauncellor of England, the Maior of London, or the chiefe officer of the Citie, Borough, Towne, where &c. he shall vse his occupation no more within England. 21. H. 8. 16.

Wardens, bailifes, gouernors may serch aliens.

6 ¶ Wardens and Maisters of fellowshippes of all handycraftes within any Citie, Borough or Towne corporat where wardens be, and the Bailifes or gouernors of Townes &c. where no Wardens be, haue authoritie with the Bailife of the libertie, where any libertie is, beyng content so to doe, to viewe, search and reforme strangers, inhabiting and vsing within any such Citie, Towne &c. any handycraft, in as ample maner as the Wardens &c. of London may do by this Act. And all strangers vsing any of the sayd handycrafts, in any of the sayd Cities, Boroughes &c. be bounde to do and obey in euery thing according to the tenor of this Act, vpon the paynes and forfaytures aboue remembred. But this Act doeth not extende to the inhabitant strangers in the vniuersities of Oxforde, or Cambridge, or within the Sanctuary of great Saint Martines within London. 14. H. 8. 2.

Aliens in Oxford, Cãbridge, great Saint Martines.

The remedy if Aliens be intreated wrongfully.

7 ¶ If the Wardens of any felowship &c. Bailifs, gouernors &c. wil wrongfully entreat any strãger in executing any thing cõtained in this act, then the stranger grieued, may by bill or information, cõplaine to the Lord Chauncellour and Treasorer of England, or the Justices of Assise in the Countie, which by their examinations, haue authoritie to heare & determine the same cõplaint, & to award to the cõplainat such amends as by thẽ shalbe thought reasonable. 14. H. 8. 2.

Aliens shalbe contributorie to subsidies & taxes.

8 ¶ All strangers Artificers made Denizens, that wyll inhabite within London, the Suburbes or Parishes aforesayd, or within two miles cõpasse of the same, & keep houses & occupy their Craft, shalbe cõtributory to & with the Queens subiects, artificers within Lõdon,

paying

paying & bearing the charges following, (that is to say) euery stranger Coydwayner being a housholder, which worketh olde stuffe or new, shall quarterly pay to the Master Wardens & comminalte of the sayd craft of Coydwayners within the sayd Citie vi.d. and euery Seruant stranger not being Denizen shall pay quarterly iii.d. And all other strangers, artificers, and Denizens of euery handicraft inhabiting within London, or any other Citie or Towne within this Realme, shall pay, beare & sustaine all like charges, as the Queenes subiects of like Mysterie, borne out of her obeisance, inhabiting within the same Citie, Towne &c. do beare. And all strangers, artificers, and denizens exercising the said craft of Coydwayners, dwelling out of London, in any other Citie or towne, shall pay, beare and sustayne Scot, Taxes, Tallages, Subsidies, Prests, & all other reasonable exactions, as the Masters, Wardens, & Cõpanies of the said Crafts for the time beyng, be bound to pay, when any subsidie, taxe, tallage or prest, or other reasonable charges shalbe assessed by the Maior and Aldermen or common Counsel of the sayd cities, townes &c. of, or for any charge of payments of money to be payd vnto the Queene, or for any cause concerning the common welth of the sayde cities, townes or Artificers &c. And whosoeuer denieth to pay as contributory with the sayd Companies, shal not any longer occupy any handicraft, vpon paine to forf. x. li. to the K. & I. to be recouered by A. I. &c. wherin no W. &c. E. or P. &c. 21. H. 8. 16. Seeke whether he shal forf. x. li. all his goods, or the value of the thing by him solde. Quere.

9 ¶ The Stranger, Artificer, Denizen or not Denizen, beyng a housholder, which wil remaine within this Realme, shal vpon lawful notice to him giuen by the master or wardens of his Craft, or one of them personally present himselfe in the common Hal, or meeting place of the sayd Craft within the Citie or Towne where he doeth inhabite, and there shall be sworne vpon the holy Euangelistes to be faithfull and true to the Queene and her heires, Kings or Queenes of England, and to be obedient to her & her Lawes, and to all actes, ordinances, and decrees made and confirmed by her & her Counsel, or by her Counsell. And that at all tymes when he shalbe appoynted by the wardens of the felowship &c. or their deputies, he shalbe ready to goe with the sayde wardens to make search. And that he shall not giue notice to any Stranger of the said search, vntil he with the sayd Wardens come together to make the same. And that he shall well, indifferently, and truely behaue himselfe, setting al affection, fauour, malice and dread of any creature, and all fraude and deceypt apart. The Strãgers othe.

And

And the othe so receyued, the said Stranger shal pay for his admission, as the Queenes subiects vse to pay. 21. H. 8. 16.

No alien artificer not being denizen shall kepe any house or shop in England.

10 ¶ No Stranger artificer not being Denizen, shall set vp or keep any house, shop or chamber within London, or any other Citie, Towne, Borough or village wherein he shall exercise any handicraft or mysterie, vpon paine to forfaite all his goods. 21. H. 8. 16. 1. R. 3. 9.

Aliens shal not assemble in cõpanies but in their halles.

11 ¶ No Strangers, artificers, denizens, or other borne out of the Queenes obeysance, shal assemble in any company, felowship, cõgregation or conuenticle, but only in the cõmon hall of their crafts, with the Queenes subiectes of the same craftes, at such time as they shalbe commanded by the master and wardens of the said crafts, and at none other place or tyme or in other maner, vpon payne to forfait all their goods. 21. H. 8. 16. 1. R. 3. 9.

Aliens victualers may come into the Realme and sell their victual.

12 ¶ All Aliens being in friendshippe with the Queene and the Realme, & comming within any cities or townes within the realme, with fishe or other victuals, and there tarying and returning againe to their owne countries, shalbe vnder the Queenes protection, and it shalbe lawful to euery of them to cutte their fish & victuals in pieces, and by retayle, or ingrosse to sel the same, 6. R. 2. chap. 10. And if any man disturbe any alien to sell his fishe in forme aforesaid, he shal forfayt. x. li. 14. H. 6. chap. 6. S. Victuals. 2.

Baker, Bruer, Surgeon, Scriuener no handicraftes man.

13. ¶ No person stranger being a common Baker, Bruer, Surgeon or Scriuener shalbe interpreted a handicrafts man by reason of vsing any of the sayd sciences of baking, bruing, Surgery or writing. 22. H. 8. 13.

Leases of houses to Aliens being not Denizens.

14 ¶ All leases of any dwelling house or shoppe within any the Queenes dominions, made to any stranger artificer or handicraftes man, borne out of the Queenes obeysance not being denizen, shalbe voyde. And no stranger artificer or hãdicrafts man, borne out of the Queenes obeysance not beyng denizen shall take any lease of any dwelling house or shoppe, within any the Queenes dominions, vpon payne to forfaite for euery time doyng contrary. v. li. And no person shal grant or let to farme, any dwelling house or shoppe to any such stranger &c. not being denizen, to the intent to inhabite in the same vpon like payne to forfait. v. li. to the Q. & I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 32. H. 8. 16.

Aliens bound vnto the lawes of this realme.

15 ¶ Euery Alien borne out of the Queens obeisance not being denizen, which now be, or hereafter shall come in or to this Realme, or els where within the Queenes dominions, shall be bounde by and

vnto

vnto the lawes and statutes of this realme, and to all the contents of the same. And al strangers borne out of her graces obeysance, which heretofore haue bene made denizens, or that hereafter shall be made denizens, shalbe bound and obedient by and vnto all the foresayd statutes made 1. R. 3. 14. H. 8. & 21. H. 8. and to all the contents of the same, and to all other statutes heretofore made nowe beyng in their force, any letters patents or ordinãces heretofore made, or hereafter to be made to the contrary &c. notwithstanding. And also in euery letters patents of, or for the making of any denizen, to be made to any stranger, not beyng borne vnder the Queenes obeysance, shall be contained a Prouiso, that he to whome such letters patents shalbe so granted, shalbe bounde and obedient by and vnto all the acts and statutes of this Realme, and to all and euery the contents of the same, except it shalbe the Queenes pleasure to grant to any such alien, any speciall liberties or priuiledges more or otherwise, then is contained in the said statutes, And in that case al such liberties and priuiledges so to be granted to any such Alien, contrary to the forme of any of the sayd statutes, shalbe playnely, wholly and particularly expressed by speciall wordes, aswel in the bil assigned with the Queenes hand for obtaining of any such grant, as in the letters patents to be made out of the Chauncery for the same. 32. H. 8. 16.

Denizens bounde to obey the statutes.

A prouiso in patents made to Denizens.

16 ¶ In the foresayd Statutes of 1. R. 3. 14. H. 8. 21. H. 8. & 32. H. 8. there be seuerall ordinances for the taking and keeping of Apprentices, Iourneymen and seruãts by Aliens, and of aliens, but the force of them seemeth to be taken away by the statute made 5. El. 4. which repealeth all statutes before that time made, concerning the hiering, keeping, order &c. of Seruants, Artificers, Apprentices &c. and the penalties concerning the same. Sed quere.

Statutes repealed.

Quere.

1 Where an Enquest shalbe, de Medietate linguæ, an alien being partie, and where not. S. Iurors. 29. 30. Attaints. 21.

Triall.

2 That no Alien borne, shall worke vessell made of Tynne or pewter. S. Pewter. 8.

Vessell.

3 That no Alien shall take a benifice, nor that any shal occupy it to his vse without the Queenes licence. S. Premunire. 2. 4.

Benefice.

4 That Aliens beyng in amitie with the Queene, may bryng in victuals and sell them in grosse or by retayle. See Vitaylers. 2. Marchants. 1.

Vitailes.

5 At what time of the yere a Marchant Alien may buy wooll. S. Woolles. 6.

Wooll.

6 That no Alien shall force, clack, or beard wooll. S. Woolles. 8.

7 That

Inheritable. 7 That Aliens borne, whose parẽts be vnder the Queenes obeysance, be inheritable in England. S. Abilitie. 2.

Herring. 8 In what case Herring may be bought of an Alien, and in what not, S. Fish. 13.

Money. 9 That Aliens shall employ their money here receyued vpon the commodities of this Realme. S. Marchants. 9. 10.

Gold. 10 That gold or siluer may not be deliuered to any alien, S. Money. 2.

Amercement.

None shalbe amerced, but according to their offence. NO Citie, Borough or Towne, nor no man shalbe amerced but for reasonable cause, & according to the quantitie of his offence, and a free man sauing his freehold, a Marchant sauing his marchãdise, & any other mans villeine (except the Queenes) sauing his villain Tenure, if he offend the Queene, and none of the sayd amerciaments shalbe assessed, but by the othe of honest and lawful men of the same vicenage. Magna Charta. 9. H. 3. 14. W. 1. 3. Ed. 1. 6.

Amercement of Barons & spiritual persons. 2 ¶ Earles & Barons shall not be amerced, but by their Peeres, & a spiritual persõ shall not be amerced according to his ecclesiastical liuing, but by his loy fee, & those amerciaments shalbe but according to the quantitie of their seueral offences, Magna Charta. 9. H. 3. 14.

Apparance.

Entry that he offered himself in proper person. IF any Philozer, Exigenter, or any other officer of the Kings bẽch, or common place, do make any entry in any suite, that the plaintife in the same suite hath offered himselfe in his owne proper person except the playntife in the same suite (before such entry be made) do appeare in his owne proper person before some of the Justices of the place where the plea is depending, & there be sworne vpon a booke that he is the same person, in whose name the said suit is sued, or that some other credible person of the Queenes Counsell, wil take such othe for him, the said Philozer &c. shal forf. xl. s. to the Queene euery time that he shalbe attaynted, by examination of any of the Justices of the same place, where any such entry or record is. 10. H. 6. 4. 18. H. 8. 9.

Apparell.

Purpure, Silke, Cloth of gold of Tissue. NO person or persons shall vse or weare in any their apparell, or vpon their Horse, Mule, or other beast, any silke of the colour of Purpure, ne any cloth of Golde of Tissue, but onely the King, the Queene, the Kings mother, the Kings children, the kings brethren & sisters, the Kings vncles and aunts (except Dukes & Marqueses, which

which may weare in their doublets and sleeueles coates only, cloth of Gold of Tissue, not exceeding the price of v.li. the yard.) But this worde Purpure doeth not extend to any Mantell of the order of the Garter. 24.H.8.13.

2 ¶ No man vnder the estate of an Earle, shall weare in his apparell of his body or vpon his horse, mule or other beast, or harneis of the same beast, any cloth of Gold or Siluer, or of tinceld Satten, or any other silke or cloth mixed or imbrodered with gold or siluer, nor any furres of Sables (except Uiconts and Barons, which maye weare in their doublets and sleeueles coates, cloth of gold, siluer or tinsell.) 24.H.8.13. Cloth of gold, siluer, Tincel, Satten, imbrodery. Sables.

3 ¶ No man vnder the estate of a Duke, Marques, Earle, and their children, or vnder the degree of a Baron (except he be a knight of the Garter,) shal weare in any part of his apparell, any woollen cloth made out of England, Ireland, Wales, Caleis, Berwicke or the Marches of the same, (except in Bonets onely) nor shall weare in any maner of apparell of his body or on his Horse, Mule or other beast, or harneis of the same beast, any Crimson, Scarlet, or blewe veluet, nor any furres of blacke Jenets or Luserns, nor any maner of embrodery. 24.H.8.13. Woollen cloth made beyond the sea. Coloured veluet, furres, embrodery.

4 ¶ No man (vnles he be a Knight) shal weare a Coller of gold, named a Coller of SS. 24.H.8.13. Coller of SS.

5 ¶ No man vnder the degree of a Barons sonne, or of a knight, (except he may dispend in lands or tenements, rents, fees, or annuities, to his owne vse for terme of his life, or for terme of an other mans life, or in the right of his wife, two hundred poundes ouer all charges) shal vse, or weare any Chayne of Gold, Bracelet, Duch, or other ornament of gold in his owne apparell, or on his horse &c. (except such chaine, Jewel, Duch, or ornament be in waight, one ounce, or aboue of fine Gold, and except rings of Gold, to be worne on their fingers, with stones, or without.) Nor shal weare any Ueluet in their Gownes, Coats with sleeues, or other vttermost garmentes, nor any furres of Libards, nor embrodery, pricking or printing with gold, siluer, or silke in any part of their Apparel, or on their horses, mules, or other beastes. 24.H.8.13. Ornaments of Gold. CC.li freehold. Veluet, furres, embrodery.

6 ¶ No man vnder the foresaid estates and degrees, other then such as may dispend clerely in landes and tenements, rents, fees, or annuities, by some estate of freehold C. li. a peere, shall weare any Satten, Damaske, Silke, Chamlet, or Taffita in his gowne, Coate with sleeues, or other vttermost garment, nor any Ueluet but in C.li. freehold.

sleeueles iackets, doublets, coyfes, partlets, or purses, nor any furres whereof ỹ like kind groweth not within England, Ireland, Wales, Caleis, Berwick, or the Marches of the same, (except Foines, gray Jenets, and Budge.) 24.H.8.13.

The sonne and heire of a knight or of a man which may dispend CC.li.

7 ¶ No man vnder the said degrees, other then the sonne and heire apparant of a knight, or the sonne and heire apparant of a man which may dispend 300. Markes by the yere (ouer all charges) or a man which may dispend in lands and tenements, rents, fees, annuities, or other yerely profits as is aforesaid, xl.li. a yere (aboue all charges) shall weare in his gowne or any other his vttermost apparel, any Chamlet or silke, nor in any part of his apparel, any silke other then Satten, Damaske, Taffita, or Sarcenet in his doublets, and sarcenet, chamlet, or taffita in lining of his gownes, & the same or veluet in his sleeueles coates, iackets, ierkins, coifes, caps, purses, or partlets, (the colours of Scarlet, Crimson and Blew excepted.) Nor shall weare any furre of Foynes, gray Jenets, nor any other furre whereof the like kind groweth not within England, Ireland, Wales, Caleis, Berwick, or the marches of the same, (except before excepted.) Nor shal weare any Aglets, Buttons, Brouches of gold or siluer, gilt or counterfait gilt, or made with any other deuise of any waight, nor shal weare any Chaine of gold of lesse waight and value then x. ounces of Troy waight of fine gold. 24.H.8.13.

xl.li. freehold.

xx.li. freehold.

8 ¶ No man vnder the said degrees (other then such gentlemen which may dispend in landes &c. as is aforesaid xx. li. a yeere ouer all charges) shall weare any maner of silke in any apparell of his body or of his hosse &c. except it be Satten, Taffata, Sarcenet or Damaske in his doublet or Coife, & Chamlet in his sleeueles Jackets, and a lace of silke for his Bonet, or points, laces, girdles, or garters made in England or Wales, nor shal weare any furres of black cony or Budge. 24.H.8.13.

v.li. freehold.

9 ¶ No man vnder the said degrees (other then such as may dispend in lands &c. as is aforesaid v. li. a yere aboue all charges,) shall weare any cloth of the colours of Scarlet, Crimson, or violet engrained, nor any silk in their doublets or iackets, nor any other cloth in any garmẽt aboue the price of vi.s.viii.d. the broad yard, nor any other thing made out of this Realme, except chamlet in their doublets, and iackets. 24.H.8.13.

Seruingman, xl.s. freehold.

10 ¶ No Seruingman, nor other yeoman taking wages, or such other as may not dispend xl.s. of freehold by yere, shall weare any Cloth in his hose aboue ỹ price of ii.s. the yard, nor in his gowne,

coat,

coat,iacket, or other garment aboue the price of iii. s.iiii.d. the broad yard,except it be his Maisters liuery,nor shal haue any hose garded or mixed with any other thing that may be seene, on,or through ỳ vtter part of his hose, but with the same cloth onely. Nor shall weare any Furre, except blacke or white Lambe,or gray Cony,growing within England,Wales,or Ireland . Nor shall weare any shirt, or shirt band,vnder or vpper cap,coife,bonet,or hat,garnished, mixed, made, or wrought with silke, gold, or siluer, nor any bonet or shirt band wrought out of England,or Wales,but he may weare a silk riband, for his bonet,the cognisance or badge of his lord or master, & a horne tipped or flewed wᵗ siluer,gilt or vngilt. And all persons may weare on their bonets, all games of siluer gilt or vngilt, which they winne by wrestling,running, shooting, leaping,or casting of the barre,and masters of Shippes or other vessels,and marriners may weare whistles of siluer and chaines to hang the same vpon. 24.H.8.13. Games of siluer. Mariners.

11 ¶ No husbandman shall weare any cloth aboue the price of ii.s.the yard in his hose.ii.s.viii.d.the broad yard in his coat or iacket, iiii.s.the broad yard in his gowne,nor any other thing in his doublet then is wrought within this Realme (fustian & canuas onely excepted)nor shall weare any furre in any of his apparell.24.H.8.13. Husbandman.

12 ¶ No seruant in husbandry, or Journeyman in handicrafts taking wages,shall weare any cloth aboue the price of xvi.d. ỳ yarde in his hose,of ii.s. viii.d.the broad yard in his gowne,iacket,or coate, nor in his doublet any other thing then fustian,cãuas,lether, or wollen cloth,nor shal weare any furre in any of his apparel.24.H.8.13. Seruants in husbandry, Journeyman.

13 ¶ None of the Clergy vnder the dignitie of a Bishop , shall weare in any part of their apparel of their bodies or on their horses, any stuffe wrought out of England,Ireland,Wales, Caleis, Berwicke or ỳ marches of the same, except that it shalbe lawfull to all Archdeacons,Deans,Prouosts,Masters, & wardens of Cathedrall & Collegiat Churches,Prebẽdaries,Doctors, or Bachelers in Diuinitie,Doctors of ỳ one law or the other, & Doctors of other sciẽces,which haue taken that degree,or be admitted in any Vniuersity, to weare sarcenet in the lining of their gownes, blacke satten,or blacke chamlet in their doublets,& sleeueles coates,& blacke veluet, or blacke Sarcenet, or blacke Satten in their Tippets and riding hoodes,or girdels. And also cloth of the colours of Scarlet,murrey or violet,and furres called gray,blacke budge,foines, shanks or mineuer,in their gownes and sleeueleſſe coates.24.H.8.13. The Clergie.

14 ¶ None of ỳ Clergie vnder the degrees aforesaid,shal weare The Clergie,

any maner of furres, other then blacke Cony, gray Cony, Budge, Shanks, Calaber, Gray, Fich, Fox, Lambe, Otter, & Beuer. Nor any sarcenet or other silke in their Tippets, except he be a Master of arte, a Bacheler of the one Law or other, admitted in any Uniuersitie, or such other of the said Clergie, as may dispend yeerely xx.li. aboue all charges. 24.H.8.13.

The forfaiture.

15 ¶ If any man vse or weare any apparel, or other ỳ premisses contrary to the tenor and forme aforesaid, then he shal forfait ỳ same so by him vsed or worne vpon his person, horse, mule, or other beast, or the value thereof, and also iii.s.iiii.d. in the name of a fine, for euery day that he shal so weare the same, to the Queene & I.&c. And euery man that wil, may lawfully sue for the same by accion of Detinue, to be commenced win xv. dayes next after ỳ beginning of ỳ terme next ensuing such cause of forf. wherin no W.&c. E. or P.&c. 24.H.8.13.

Certaine persons excepted and permitted to weare apparel, to others forbidden.

16 ¶ All such Officers & seruants wayting or attending vpon the Queene daily, yerely or quarterly in her houshold, or being in her Eschequer rolle, as shalbe admitted, alligned, & licenced by her grace to vse or weare any maner apparel on their bodies, horses &c. (otherwise then is before expressed) shal lawfully do the same, according to the licence giuen vnto them in ỳ behalfe, the same licence to be declared in writing by the Queene, or the Lord Steward of her houshold, or the Lorde Chamberlaine, knowing the Queenes pleasure in the same. And the Lord Chancelor, the Lord Treasorer, ỳ President of the Queenes Councel, and the Lord priuy seal for the time being, of what estate or degree soeuer they be, besides those roomes may wear in their apparel, Ueluet, Satten, and other silkes of any colours (except Purpure) & any maner of Furres (except blacke Jenets.) And this act shal not extend nor be preiudicial to any of the Queenes councell, ne to Justices of the one bench or the other, the Barons of the Eschequer, the Master of the Rolles, Serieants at law, the Masters of the Chauncery, Apprentices of the law, the Queenes Physicions, Maiors, Recorders, Aldermen, Shirifes, Bailifes elect, and al other head officers of Cities, Townes, and Boroughes corporat, wardens of Occupations, the Barons of the v. Portes, that is to say, to all the said Officers, and persons that nowe be, or heretofore haue bene in like roome, place, office, or authoritie, or hereafter for the time shalbe, alwell in the time, as after that they haue bene in any such place, office, roome, or authoritie, but that they shall at all times weare all such apparel in and vpon their bodies, horses, &c. And also Citizens and Burgesses, shall now weare such hoodes of cloth and of such colours,

lours, as they haue heretofore vsed to weare (except that it shall not be lawfull to any of them to weare Uelnet, Damaske or Satten of the colours of Crimson, Uiolet, Purpure, or Blewe, otherwise then by the content of this act in any of the clauses before mencioned, is by reason of their landes, or otherwise permitted, limitted or assigned.) Ne shal extend to Ambassadors or other personages sent from outward Princes, or to noble men, or other cõming into ỳ Queenes Realme, or other part of her obeisance, to visite, see, or salute her Grace, or to see the Countrey, and not minded to make long or continuall demurre in the same. Ne to any Henchman, Herauld, or pursuant at Armes, Minstrels, Players in Enterludes, Sights, Reuels, Justes, Turneis, Barriers, solempne Watches, or other Marciall feates, or disguising, or to men of warre being in the Queenes wages of warre. Nor to any man for wearing any apparell giuen vnto him by the Queene, ne to any Sword bearer of any Citie, Borough or Towne corporat. Nor shal extend to any Utterbarrester of any of the Innes of Court, for wearing in any of his Apparell such Silke and Furre, as is before limitted for men that may dispend in lands, rents &c. for terme of life xx.li. ouer all charges. Nor to any other Student of the Innes of the Court or Chauncery, nor to any Gentleman being seruant to any Lord, Knight, Esquire or Gentleman of this Realme, whose Master may dispend xl.li. ouer all charges, for wearing by such Student or Gentleman being seruant, of doublets and partlets of Satten, Damaske, or Chamlet, or iackets of Chamlet, which be giuen vnto them, by any of their parents, masters or kinsfolks, (so alwayes ỳ they be not of the colours of Crimson, Purpure, Scarlet or blew) or for wearing of any furres, whereof the like groweth within this Realme, Wales or Ireland (Martins and blacke cony except.) Nor shalbe preiudicial to any Spirituall or Temporal person, for ỳ wearing any ornaments of the Church, vsed for executing diuine Seruice, or for wearing their Amices, Mantels, Habites or garments of Religion, or other thinges which they be vsed or bound vnto, by their roomes, promotions or Religions. Ne to any Graduats, Beadles or ministers to the Graduats in Uniuersities & Scholes, for wearing of their habites or hoods with furres, linings or otherwise, after such forme as heretofore they haue bene accustomed to do. Nor to any person for wearing of any linnen cloth made or wrought out of ỳ Queenes obeisance. Ne to any person being of the degree of a Gentleman, for wearing of any Shirt made, wrought, or embrodered with threed and Silke only, so the

same worke or embrodery be made within this Realme of England, Wales, Caleis, Berwicke, or the Marches. 24. H. 8. 13.

These only be allowed to weare silke.

17 ¶ No person borne within this Realme or the dominions of the same, shall weare any maner of silke in or vpon his Hat, Bonet, Night cap, Girdle, Scabard, Hose, Shoes, or spurre lethers, vpon paine of iii. Moneths imprisonment, and forfaiture of x. li. for euery dayes wearing, except he be the sonne and heire of a knight, or of or aboue the degree of a knights sonne or daughter, or wife to any of them, or may dispend xx. pound by the yere, in landes, offices, fees, or other yeerely reuenues for the terme of life, or be worth in goodes two hundreth pound. And except them which haue bene, be, or shalbe Maior, Bailife, Alderman, or head Officer, in any Citie, Borough, or Towne corporat, and their wiues, and the Queenes seruants in ordinary wages attendant and wearing the Queenes ordinary liueries, and women which may weare in their Cappes, Hattes, Girdles, and hoodes, as they might vse and weare lawfully before the making of this act. 1. E. 2. P. & M. 2.

The Master shal put his seruant offending, forth of seruice.

18 ¶ If any person knowing his seruant to offend contrary to this statute, do not put him forth of his seruice within xiiii. dayes next after such knowledge had (except he be his Prentice or hyred seruãt, which he may keepe to the end of his terme) or els being put forth of his seruice doe retaine him againe within one yeere next after the offence, he shall forfait for euery such offence C. li. to the Queene and Jn. to be recouered by A. J. &c. wherein no W. &c. E. or P. &c. 1. & 2. P. & M. 2.

1 Where the wiues Apparel doeth enforce the Husband to keepe any horse or armour. S. Armour. 3. Horses. 11.

2 Who may weare any veluet Cap, or veluet Hatt, and who not. S. Hattes. 5.

Appeales and Prouocations.

Appeales from the Archdeacon or his Officiall.

IN such cases where heretofore any of the Queenes subiects or reliants haue vsed to pursue, prouoke, or procure any appeale to the Sea of Rome, & in all other cases of Appeales, in or for any causes testamentarie, causes of Matrimony, & diuorces, rights of Tythes, oblations and obuentions, they may and shall take, haue, and vse their Appeales within this Realme and not els where: in maner and forme ensuing, and not otherwise, that is to say, first from the Archdeacon or his officiall, if the matter or cause be there begunne, to the Bishop Diocesan of the said Sea, if in case any of the parties be greeued. 24. H. 8. 12.

2 ¶ And

2 ¶ And if it be commenced before the Bishop Diocesan or his commissarie, from the Bishop diocesan, or his Commissarie, within xv. dayes next ensuing the iudgement or sentence thereof there giuen, to the Archbishop of the Prouince of Canterbury, if it be within his Prouince. And if it be within the Prouince of Yorke, then to the Archbishop of Yorke, and so likewise to all other Archbishops in other the Queenes Dominions, as ꝑ case by order of Iustice shal require, and there to be definitiuely and finally decreed & adiudged according to Iustice, without any other appellation or prouocation to any other person or persons, court or courts. 24. H. 8. 12. Appeales from the Bishop or his Commissary.

3 ¶ And if the matter or contencion, for any of the causes aforesaid, be or shalbe commenced by any of the Queenes subiects or resiants, before the Archdeacon of any Archbishop or his Commissary, then the party greeued shall or may take his Appeale within xv. dayes next after Sentence there giuen to the Court of the Arches or Audience of the same Archbishop, and from the said Court of the Arches or Audience within xv. dayes then next ensuing, after iudgement or Sentence there giuen, to the Archbishop of the same Prouince, there to be definitiuely and finally determined, without any other proces or appeale thereupon to be had or sued. 24. H. 8. 12. Appeales from the Archdeacon of an Archbishop.

4 ¶ Euery matter, cause and contencion that shalbe commenced by any of the Queenes subiects or resiants, for any of the causes aforesaid, before any of the said Archbishops, shalbe before the same Archbishop definitiuely determined, decreed, or adiudged, without any other Appeale, Prouocation or forraine Proces out of this Realme, to be sued to the let, or derogation of the said iudgement &c. otherwise then is by this act limitted and appointed. Sauing alwayes the prerogatiue of the Archbishop and Church of Canterburie in all the foresaid cases of appeales to him, and his successors, to be sued within this realme, in such wise as they haue bene accustomed to haue heretofore. 24. H. 8. 12. Causes commenced before an Archbishop. The prerogatiue of ꝑ Archbishop of Canterbury.

5 ¶ For lacke of Iustice at or in any the courtes of the Archbishops of this Realme, or in any the Queenes dominions, it shalbe lawfull to the parties greeued, to appeale to the Queenes Maiestie in her Court of Chauncerie, and vpon euery such appeale, a commission shalbe directed vnder the great seale to such persons as shalbe named by the Queenes highnesse, her heires or successors (like as in case of appeale from the Admirals court) to heare and definitiuely determine such appeales, and the causes concerning the same, which Commissioners shall haue full power to heare, and definitiuely Appeales from the archbishops court into the Chancery.

determine euery such appeale with the causes and all circumstances concerning the same. And such Iudgement and sentence as the said Commissioners shall make, and decree in and vpon any such appeale, shall be good and effectual and also definitiue, and no further appeales shalbe had or made from the said Commissioners for the same. An. 25. H. 8. 19. 1. Eliz. 1.

Appeales in causes touching the Queene.

6 ¶ And in case any cause, matter or contencion, for the causes before rehearsed, or any of them shall come in contencion for any of the same causes, in any of the foresaid Courtes, which hath, doth, shal or may touch the Quéen her heires or successours, Kings or Queenes of this realme, then the party greeued shall or may appeale from any of the said Courtes of this realme, where the said matter shall happen to be bentylat, commenced or begun, to the spiritual Prelates of the vpper house assembled by the Queenes writ in the conuocation being, or next ensuing, within the Prouince or Prouinces, where the same matter of contencion shalbe begun, so that euery such appeale be taken by the partie greeued, within xv. dayes next after the iudgement or sentence thereupon giuen. And whatsoeuer shalbe done, affirmed, determined, decreed and adiudged by the foresayd Prelates of the vpper house of the said conuocation, concerning or belonging to the Queene, her heires and successours in any of the foresayde causes of appeales, shal stand and be taken for a final sentence, iudgement and determination, and the same matter so determined neuer after shall come in question and debate to be examined in any other Court. 24. H. 8. 12.

Punishment of the offendor.

7 ¶ If it shall happen any person to pursue or prouoke any appeale contrary to the effect of this acte, or refuse to obey, execute and obserue all things compriſed within the same, cõcerning the said appeales, prouocations and other forreine proces to be sued out of this realme, for any the causes aforesaid, then he, his procurours, fautors, aduocates, counsellers and abbettours, & euery of them shal incur into the penalties ordeined in the statute of Premunire made 16. R. 2. and with like proces to be made against the said offendours as in the same statute appeareth. 24. H. 8. 12. 25. H. 8. 19. 1. Eliz. 1. S. 25. H. 8. 19. that if any person prouoke or sue any maner of appeales of what nature or condition soeuer they be, to the Bishop or Sea of Rome, or doe procure or execute any Proces from the Sea of Rome, or by authoritie thereof, to the derogation or let of the due execution of the foresaid statute, then he, his counsellours &c. shall incurre into the penalties ordeined in the statute of Premunire, made 16. R. 2.

S. Premunire. 5.

But by the statute of 13. Eliz. 2. the getting of any Bul, writing or instrumēt whatsoeuer from Rome, conteining any matter or cause whatsoeuer, is high treason. S. Rome. 2.

8 ¶ Euerie such iudgement & sentence definitiue as shalbe giuē, or pronounced in any ciuile or Marine cause, vpon appeale lawfully to be made therein, to the Q. in her court of Chauncery by such commissioners or delegates as shalbe appointed by her Maiesty, her heires or successors by commission vnder the halfe seale, as it hath bene vsed in such cases shalbe final, and no furder appeale shalbe had or made from the said iudgement or sentence definitiue, or from the said commissioners or delegates, for, or in the same. 8. El. 5. Appeales in ciuill and marine causes.

1 ¶ That euery Ecclesiasticall Iudge shal adiudge costes to the other party vpon appeale made in any suit for subtraction of tythes or offrings. S. Tythes. 21.

Appeales of felony.

ALL Appeales of things committed within the Realme shall be tried and determined by the Lawes of the Realme: And of things committed out of the realme, before the Cōstable and Marshall of England, And no appeale shalbe pursued in the Parliamēt, 1. H. 4. 14. But all Treasons and misprision of Treason committed out of this Realme, shalbe tried in the kings Bench or in such Cōtie of this Realme as the Queene by Commission shall assigne. 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11. S. Treason. 10. In what places appeales shalbe pursued

2 ¶ If the Appellant in appeale do declare the deed, the yere, the day, the houre, the time of the King, and the Towne where the deed was done, & with what weapon he was slaine, the appeale shall stand in effect, & the appeale shall not be abated for default of Freshe suite, where a man doth sue within the yeere and the day after the deede. Glo. 6. Ed. 1. 9. The declaration in appeale of murder. Within what time an appeal of murder shall be Commēced.

3 ¶ No person shalbe outlawed for Appeale of commandemēt, force, ayd, or receipt, vntill the Principall be attainted by Utlary, or in other maner. But the appellor shall not let to attach his appeale at the next Cōty, aswel against the Accessorie as against the Principall. But the Exigent against the Accessory shall stay, vntil the Principall be attainted by Utlary or otherwise. Westm. 1. 3. Ed. 1. 14. And if any be appelled of an Act done as principall, they that be appelled as accessories shalbe attached, and surely kept, vntil ỹ Principall be attaynted. Officium Coronatoris. 3. Ed. 1. Exigent in appeale against the principall and accessorie.

4 ¶ None shall be taken or imprisoned by the appeale of any woman Appeale of a woman.

woman for the death of any other then of her husband, Magna charta, 9. H. 3. 34.

The appellee being acquited the appellant and abbettors shalbe punished

5 ¶ When any appelled of felony doth acquit him selfe in the Queenes Court in due maner, at the suit of the appellant, or the Q. the Justices before whō the appeale shalbe heard & determined, shall punish the appellant by a yeeres imprisonment, and neuertheless such Appellant shall yeld to the Appellee dāmages by the Justices discretion, hauing respect to the imprisonment or arrest that the party hath sustained by reason of such appell, and to the slaunder which he hath receiued, and also he shal pay a greeuous amercement to the Queene. And if the Appellor be not sufficient to aunswere damages, enquiry shalbe made by whose abetment the Appell was maliciously commenced, if the appellee desire it. And if it be found by the same Inquest, that any mā is abbettour through malice, he shalbe distrained by a Judiciall writ at the appellees suit, to appeare before the Justices, and if he be lawfully conuicted of such abbetment by malice, he shalbe imprisoned and restore dammages, as is aforesaid of the Appellant. West. 2. 13. Ed. 1. 12. And any person indicted or appealed of felonie or Treason in a forein County, shall in an Action vpon the case, recouer treble dammages against euery procurer of such indictment or Appeall, after he is duely acquited by Verdict, and like proces shall be in the same as in an accion of Trespas, Vi & Armis. 8. H. 6. 10. S. Coroners. 7. 8.

Procurors of appeale in a forreine Coūty

1 VVithin what time and before whom an appel of murder shal be commenced. S. Murder. 4.

2 How the defendant in appell of Maime shal be vsed. S. Coroners. 8.

3 That appell of murder may be commenced in one Countye of the death of any person stricken or poysoned in an other Coūty. S. Triall. 1.

4 In what case appell of murder may be commenced against a man arrayned at the Queenes suit. S. Murder. 3.

5 Appell against any person dwelling in a forreine County. See Indictments. 3. Triall. 1.

Approuors.

Appeals by approuors.

WHosoeuer shalbe appealed by any approuor remaining in the gaols, which the Justices of gaole deliuerie shall deliuer in what place soeuer of the realme ẏ persons appealed shall remain, immediatly ẏ sheriffe of ẏ county where such persons appealed be cōuersant or may be found, shalbe cōmanded by the Queenes writs

vnder

vnder the testimonie of the same Iustices, ỳ he shall take those persons appealed, & conuey thẽ to ỳ gaole where ỳ approuors by whose appell they be apprehended, be imprisoned, & the Sherife or Gailor of that prison shall receiue them, & there they shall answere before ỳ same Iustices. And if they put them selues vpon the countrey, the Iustices shall send by a Iudiciall writ to the Sherife of the County where the felony was committed, that he shal returne an enquest before them at the place where the approuors do remaine. Stat. de Appellatis, 28. Ed. 1.

1 That it is felonie for a Gayler to cause a prisoner to become an approuer. S. Prisoners. 9. Felony. 17.

Approuements.

The Lordes of wastes, woodes and pastures (which haue enfeoffed their freeholders of small tenementes within their great manors) may approue of the same wastes, woods and pastures, notwithstanding the contradiccion of their tenants, so that the same tenaunts may haue sufficient pasture vnto their tenements with free ingresse and regresse to the same. Merton. 20. H. 3. 4. Lords may approue against their tenants.

2 ¶ The foresayd statute prouided betwixt the Lord and his tenants, shal take place betwixt the lords of walls, woods & pastures, & their neighbours, so that the Lords leauing sufficient pasture to their men & neighbours, may approue ỳ residue. And this shalbe obserued of thẽ which claime pasture pertaining to their freehold. But if a man claime common of pasture by a speciall feoffemẽt or graũt for a certain number of cattel, or by any other meanes, then by common right (seeing couenant doth abrogate Law,) he shal recouer his owne according to the graunt. West. 2. 13. Ed. 1. 46. Lords may approue against their neighbours. Common in grosse.

3 ¶ And if such tenants or neighbours do bring an Assise of cõmon of pasture, if it be found before the Iustices ỳ they haue as much pasture as is sufficient for their tenements, & that they haue sufficient ingresse & regresse frõ their tenements vnto their said pasture, they shall hold thẽselues contented, & their lords of whom they complained shalbe quiet & make their commoditie of the residue. But if it be found that their ingresse & regresse were any thing hindered by the Deforeours, or ỳ they had not sufficient pasture, then they shall recouer their seysõ by view of ỳ Iurors, so ỳ by their discretiõ & oth, they shall haue sufficient pasture, ingresse & regresse, & the disseisors shalbe amerced, & render dammages. 20. H. 3. 4. 13. Ed. 1. 46. Approuement leauing sufficient common & passage.

4 ¶ By occasion of a Windmill, sheepe house, Dairie, augmentation A windemil, sheepe house, court, Dairie &c. may be approued.

tation of a necessary Court, or Curtilage, no man shall be grieued by Assise of common of pasture. Westm. 2. 13. Ed. 1. 46.

Treble dammages.

5 ¶ All such person and persons which shall bring assise vpon any branch or article of any of the foresaid statutes, and haue iudgement to recouer, shall haue his or their dammages trebled by the iudgement of the court, where such assise and iudgement shall be had. 3. Ed. 6. 4.

Ditch or hedge of ground approued throwen downe.

6 ¶ If a Ditch or hedge (made by any person that hath authoritie to approue,) be in the night or otherwise priuily throwne downe, and it cannot be knowen by the verdict of the assise or Jury who did it, nor the inhabitants of the next townes will accuse them that be guiltie, the Townes next thereabout adioyning shall be distrained to leuie the hedge or Ditche at their owne charges, & also to render dammage. Westm. 2. 13. Ed. 1. 46.

Houses with grounds vnder 3 Acres, Gardēs, orchards, ponds.

7 ¶ The foresaid two statutes made. 20. H. 3. & 13. Ed. 1. nor any thing in any of them conteyned, shall extend to any houses with ground builded vpon commons or waste grounds (before 4. Nouem. An. 1549) with ground vnder the quantitie of three acres and not aboue, inclosed to & with the same. Nor to any Garden, Orchard, or pond inclosed before the said day, out of, or in such wastes or ground which exceede not the quantitie of two acres, Nor shall cause any person to lose any penaltie for the same. But if any such house hath bene before the sayd day builded vpon any such waste grounde, and that there be aboue three acres inclosed to the same, then the saide house and three acres parcell of the same inclosure shall still continue, and the ouerplus of the said three acres shall and may be layde open by the owner of the same wastes. 3. Ed. 6. 3.

Archerie.

All men within lx. yeres of age shall shoote.

EVery man being the Queenes subiect not lame, decrepit, maymed, nor hauing any other lawfull or reasonable cause or impediment, being vnder the age of lx. yeres (except spiritual men, Justices of the one bench & of the other, Justices of assise, and Barons of the Eschequer) shall exercise shooting in long bowes, & also haue a bow & Arrowes continually in his house, to vse, and doe vse himselfe in shooting, & euery father, ruler & gouernor, shal bring vp those which be in his house of tender age in knowledge of shooting. 33. H. 8. 9.

Men children betwixt vii. yeres and xvii.

2 ¶ If any man suffer any man child being his sonne, or man seruāt taking wages, betwixt the age of vii yeres, & xvii. to remain in his house vnot a bow & two arrowes, by the space of one moneth together,

together, then the Maſter or father ſhall forfaite for euery defaulte vi.s.viii.d. If the ſaid Seruant take wages, the maſter may buy the ſaid Bowe and Arrowes and abate him of his wages. 33.H.8.9.

Men betwixt xvii. & lx. yeres of age.

3 ¶ If any ſeruant taking wages and able to ſhoote, being betwixt the age of ſeuentene yeeres and three ſcore, lacke a Bowe and foure Arrowes by the ſpace of one moneth together, he ſhall forfaite for euery ſuch default vi.s.viii.d. 33.H.8.9.

Shooting at rouers.

4 ¶ If any vnder ẏ age of xxiiii. yeres ſhall ſhoot at any ſtãding pryck, except it be at a rouer (whereat he ſhal chãge his marke euery ſhoot) he ſhal forf. for euery ſhoot doing ẏ contrary, iiii.d. 33.H.8.9.

Shooting in rouing ſhafres.

5 ¶ If any aboue the age of xxiiii. yeres do ſhoote at any marke of xi. ſcore yardes or vnder, with any pryckeſhaft, or flight, he ſhall forfaite for euery ſhoote vi.s.viii.d. 33.H.8.9.

Aliens ſhal not conuey bowes or ſhaftes beyond the Sea.

6 ¶ No ſtranger borne out of the Queens obeyſance not being Denizen, ſhal conuey or do to be conueied, giuẽ, ſel, or exchange into any partes out of the Queens obeyſance any long Bowes, Arowes or ſhafts, wout the Queenes ſpeciall licence, vpon paine of forf. of ẏ ſame, whereſoeuer they ſhalbe taken, or the value thereof within the Queens power, & vpon paine of impryſonment wout baile or mainpryſe, vntil ſuch time he ſo being in ward, haue made a reaſonable fine to the Q. for his offence before ẏ Juſtices of peace, or two of thẽ in their Seſſions in ẏ ſame cõuty where he ſhalbe cõmited to ward, or finde ſufficient ſuretie for the paiment of the ſame fine. 33.H.8.9.

No alien ſhall vſe ſhooting.

7 ¶ No perſon not being borne within the Queenes obeyſãce not made Denizen, ſhal vſe within the Queenes obeiſance ſhooting with long Bowes without the Queenes licence, vpon paine of forfaiture of ſuch bowes, arrows & ſhafts, as they ſhalbe found ſo ſhooting with. And euery of the Queens ſubiects haue authoritie to take and ſeiſe the ſame forfaitures to his owne vſe. 33.H.8.9.

Bowyers and fletchers of London being commanded ſhall dwel elſe where.

8 ¶ If any Bowyer, Fletcher, Stringer, or Arrowhedmaker repairing to ẏ city or ſuburbes of London, & there making his dwelling & abiding, being not a free mã of the ſaid Citie, neither bearing ſcot nor lot win the ſame, ſhall refuſe to depart from the ſaid Citie, ſuburbes, ſtreets, lanes, & places nere ẏ ſame, to go & inhabit ſuch other citie, borough or towne of ẏ realme of Englãd as is deſtitute of ſuch artificers, & there to exerciſe his craft & facultie for the maintenance of artillery, whẽſoeuer warning ſhalbe to him giuen by the Queens honorable Counſel, the L. Chancellor of England, the L. Treaſorer, Lord Priuie ſeale, or one of thẽ, then he ſo refuſing ſhall forf. for euery day ẏ he ſhal make his abode cõtrary, xl.s. 33.H.8.9.

¶ Horſes

Armour.

	¶ Horses or geldings, Demilaunces with Armour for them, wherof the one halfe shalbe Horses at the leaſt with furniture.	Lyght Horses with their furniture of harneis & weapon.	Corſelets furniſhed.	Almain ryuets Plate Coates Brigandins or Corſelets furniſhed.	Pykes.	Long Bowes.	Sheafs of Arrowes.	Steele Cappes or Sculs.	Black Billes or Halberds.	Harquebuts.	Morians or Sallets.
Euery perſon tẽporal ſhall keepe &c. Which hath eſtate of inheritance or freehold in landes &c.	1000.li. 6.	10	40	40	40	30	30	30	20	20	20
	1000. marks. 4.	6	30	30	30	20	20	20	10	10	10
	400.li. 2.	4	20	20	20	15	15	15		6	6
	200.li. 1.	2	10	10	10	8	8	8		3	3
	100.li.	2	3	3	3	3	3	3		2	2
	100. marks	1	2	2	2	2	2	2		1	1
	40.li.		2	2	2	1	1	1		2	2
	20.li.		1		1	1	1	1		1	1
	10.li.			1		1	1	1		1	1
	5.li.			1		1	1	1	1		
Goodes.	1000.mar. 1.or 18. Corſlets furniſhed.	1	2	2	2	4	4	4		3	3
	400.li.	1.or. 9 corſel.	1	2	1	2	2	2		1	
	200.li.		1	2	1	2	2	2		1	1
	100.li.		1	1	1	2	2	2			
	40.li.			2		1	1	1	1		
	20.li.			1		2	2	2	1		
	10.li.					1	1	1	1		
Penalties forfeited for not hauing in 3. moneths, to the Queene and Informer &c.	10.li. the Horſe. 3.li. the furniture. 3.li. the Demilaunce.	10.li. the gelding, 3.li. the furniture.	40.ſ.	20.ſ.		10.ſ.	10.ſ.	10.ſ.	10.ſ.	10.ſ.	10.ſ.

Annu-

Annuities, fees, or copiholds of estate of inheritance or for life, vnder xxx. li. shall not be charged, and being aboue xxx li. shalbe charged according to the rate of goods. But no man shalbe charged both for his landes and also for his goods, Annuities &c. 4. and 5. P. and M. 2.

2 ¶ Euery person temporall (being of full age, and not in warde, whose landes amount to the yeerely value of C C li.) shall keepe a gelding meete for a light horseman, with sufficient harnesse & weapon for the same, whose wife (being not diuorced, nor willingly absenting her selfe from him) doeth weare any Gowne or petticoate of silke, or any veluet in her kirtle or in the lining or other parte of her Gowne, (other then in the Cuffes or purfles) or any French Hoode, or bonet of veluet, with any Abiliment, Paste, or edge of gold, pearle or stone, or any chayne of gold about her necke, or in her partlet, or any other her apparell, (except he be charged by any other braunch of this statute to keepe any horse, or gelding in such maner as euery temporall person hauing lands &c. of the yerely value of C. markes, is by this act charged to maintaine) 33. H. 8. 5. 4. & 5. P. & M. 2. See Horses. 11. Armour by reason of ỹ wiues apparel.

3 ¶ The inhabitants of euery City, borough, towne, parishe and hamlet within this realme (other then such as before are specially charged) shall keepe, haue and maintaine at their common charges, such harnesse & weapon, & in such place as shalbe appointed by the Queens cõmissioners for the musters or viewe of Armour win such Citie, Borough, towne &c. which cõmissions the Lorde Chancellor hath power from time to time to graunt to as many Iustices of peace of the same County as he shall thinke good (the number & kinds wherof being writtẽ in a paire of Indentures, made between the commissioners or two of them & iiii. at the least of the chiefe of euery such citie, towne, parish &c. one part shal remaine w̃ the chief officer of the same Citie, town &c. & the other with the clerke of the peace of the shire where such citie, towne &c. shall stand or be) And if the inhabitants of euery such citie, towne &c. other then such as are specially charged, shal wãt such harnesse or weapõ or any part therof vnto thẽ appointed &c. by the space of iii. moneths together after any such appointment made, thẽ they shal forf. for euery iii. moneths lacking after ỹ rate aboue limited, to the Q. & I. to be recouered by A. I. &c. wherein no W. &c. E. or P. &c. 4. & 5. P. & M. 2. With what armour townes shalbe charged.

4 ¶ If any person aforesaid, being impeached for any forfayture, for not hauing or keeping such furniture of Corselets, pykes, harque- If the def. do pleade that the furniture cannot be gotten.

harquebuts, or murrians as is aboue limitted, doeth plead that the ſame furniture could not be prouided for want of the ſame within this realme, the ſame matter of want & lacke ſhal be alowed a good and ſufficient anſwere & barre in the law, if it be true: but if it be denied or trauerſed, thereupon an yſſue ſhalbe ioyned & tried only by ỹ certificate of the Lords Chauncellor, Treaſorer, Preſident of the counſell, ſteward of the Queenes houſhold, priuie ſeale, Admirall, & the Lord Chamberlaine of the Queenes houſhold, or three of them in writing vnder their ſeales &c. 4. & 5. P. & M. 2.

If the armour or horſe be loſt in ſeruice.

5 If it ſhall fortune the furniture of Armour aforeſaide or anye part therof to be loſt or ſpēt in any ſeruice of defence of this realm, or elſe the horſes or geldings aforeſayde to be killed or deſtroyed, or by ſome other occaſion to be dead, then no perſon ſhall be charged with any forf. aforeſaid, for not hauing ſuch quantitie or nūber of Armour, horſes or geldings as is aforeſaid, ſo that he within one yere next after ſuch loſſe do ſupplie the ſame againe in al points according to the true meaning of this Act. But the want of any gauntlet or gauntlets ſhall not be accounted for any lacke of furniture for a Corſlet, 4. & 5. P. & M. 2.

The want of a gauntlet.

Inhabitants in wales, Lancaſhire, Cheſhire.

6 ¶ This act ſhall not charge any perſon abiding within the counties of Northwales, or Southwales, the County Palentine of Lancaſter, or Cheſter, with the finding of any harquebut, But euery of them may keepe in ſtead thereof one long Bow & one ſheaf of Arrowes, beſides ſuch other Armour and Munition as is by the lawes of this Realme appointed, 4. & 5. P. & M. 2.

No man ſhalbe twiſe troubled for one offence, but ſhalbe preſented within the yere.

7 ¶ If any perſon ſhall be conuicted by vertue of this Act for any default mēcioned in this act, he ſhall not eftſones be troubled for the ſame. And no perſon ſhalbe impeched for any offence done contrary to this act, vnleſſe preſentment or ſuit thereof be made within one yere next after the offence done, 4. & 5. P. & M. 2.

It doth not diſcharge other mens ſeruice.

8 ¶ This act ſhall not diſcharge any tenant or farmer of hy ſeruice or couenant toward his Lorde, for the finding of horſe, Armour, or weapon, or for doing of ſeruice by him ſelfe, or anye other which by the tenure of his land or farme he is bound to doe, at the time of the making of this Act, 4. & 5. P. & M. 2.

No weapons or armour carried in Wales to any aſſemblye.

9 ¶ No perſon reſiant within Wales or the lordſhips marchers ſhall bring to any Seſſions, towne, Church, Faire or market (except it be vpon a huy or outcry of felonie or robbery) any weapon, priuie coat, or Armour defenſiue, vpon paine of forf. of ỹ ſame, & of impriſonment, & fine at the diſcretion of the commiſſioners of the

marches,

marches, except it be by ẏ commandement, licence or aſſent of ſome officer &c. 26. Hen. 8. 6.

No man ſhall come armed before the Iuſtices, nor goe or ride armed.

10 ¶ No man ſhal come before the Queenes Iuſtices or other officers in doing their offices, with force and Armes, nor ſhall bring any force in affraie of the peace, nor ſhall go or ride armed by day or by night, nor weare ſallet, ſcul of Iron, or other armour, vpon paine to forfaite to the Queene his armour, and his body to be impriſoned at the Queenes pleaſure, except the Queenes ſeruants in her preſence, and her officers in doing her precepts or their offices, or ſuch as be in their companie aſſiſting them, or vpon a crie made for armes to keepe the peace in ſuch places where ſuch things happen. And the Queenes Iuſtices in their preſence, Sherifes and other Officers of the Queene within their Bailiwicks, lordes of Franchiſes and their Baylifes thereof, and Maiors and Baylifes of cities and Boroughs within the ſame Cities & Boroughs, & Boroughholders, Conſtables and Gardeins of the peace within their Wardes, haue power to put this ſtatute of 2. Ed. 3. in execution, And the Iuſtices aſſigned, at their comming into the Countrey, haue power to inquire howe ſuch officers and lordes haue vſed their offices in this caſe, and to puniſh thoſe which they finde haue not done that which belongeth to their offices. 2. Ed. 3. 3. Northampt. 7. Ri. 2. 13. 20. Ri. 2. 1.

No ſeruant ſhall were any ſword, dagger, &c.

11 ¶ No Seruant in huſbandry, or labourer, nor ſeruant of Artificer or vitailer, ſhall beare any Buckler, Dagger, or Sword, vpon paine of forfaiture the ſame (except it be for the defence of the Realme in time of warre, or in traueling with their maſters, or on their maſters buſines) 12. R. 2. 6.

1 The remedie for the owner where a Souldier doth make away his Horſe or Armour. S. Captaines. 1. 2.

Arrowheads.

Arrowheads marked, braſed boyled.

EVery arrowhead and quarell, ſhalbe marked with the marke of him that made the ſame, And if any that doe make them, doe not well boile or braſe and harden them at the point with ſteele, he ſhal forfaite the ſame to the Queene, and ſhalbe impriſoned & make fine at the Queenes pleaſure. 7. H. 4. 7. S. Corporations. 10. Iuſtices of peace. 55.

Arreſtes.

Arreſting miniſters doing diuine ſeruice.

IF any of the Queenes officers or other perſon doe arreſt any miniſter which is doing any diuine ſeruice in the Church, Churchyard, or other place to that vſe appointed, he ſhalbe impriſoned and

punished at the Queenes pleasure, and further shall recompence the partie arrested, But no ministers of the Church shall keepe them within the Church or Sanctuarie by fraude or Collusion. 50. Ed. 3 5. 1. R. 2. 15. S. Preacher. 1.

2 ¶ If any men of great power or their Bayliffes, or any other (except the Queenes officers, vnto whom special authoritie is thereunto giuen) either vpon the plaint of others, or vpon their owne authoritie, doe attache other passing with their goods through ỹ place where they haue authoritie, to answere before them of contractes, couenantes, or trespasses committed without their power and Iurisdiction, whereas they holde nothing of them, nor within the franchise where their authoritie is, he which offendeth shall answere to the Partie grieued his double dammages, and shall paie a grieuous amercement to the Queene. West. 1. 3. Ed. 1. 34.

1 Where the plaintife shall pay costes and dammages for vnlawfull arrestes. S. Dammages. 1. 2.

2 Where & by whom Nightwalkers shalbe arrested. S. Watch. 1.

3 That all men shalbe readie to arrest fellons and other great offenders. S. felony. 34. 35.

Artificers.

Victaslers conspire for the selling of their victailes.

IF any Butchers, Bakers, Bruers, Pulters, Cookes, Costermõgers or fruterers shal conspire, couenãt, promise or take any othes, that they shall not sell their victailes but at certaine prices, or if any Artificers, workemen, or Laborers do conspire, couenant, promise together or make any othes that they shall not doe their workes but at a certaine price or rate, or shall not take vpon them to finishe that which an other hath begun, or shall doe but certaine worke in a day, or shall not worke but at certaine houres and times, Then euery of them so offending shall forfait for the first offence x. li. to the Queene, and if they doe not paye the same within vi. dayes after conuiccion they shalbe imprisoned xx. daies, and haue onely bread and water for their sustenance. And for the seconde offence, shal forfait xx. li. or elſe suffer the punishment of the pillorie: And for the third offence &c. shall forfait xl. li. or &c. to sit on the Pillorie, loose one of his eares, and to be taken infamous, and neuer to be credited in matters of Iudgement. 2. Ed. 6. 15.

Labourers conspire for the order of their worke.

Conspiracie made by a company of victaylers.

2 ¶ And if any such Conspiracie, Couenant, or promise be made by any company of any mysterie of the victaylers aforesaid with the consent of the more part of them, then besides the particular punish-

ment

ment appoynted for the offender, the corporation shalbe dissolued to all intents. 2. Ed. 6. 15.

1 For the retaining, departing, working, wages, and order of Artificers. S. Laborers in all, and Iustices of peace. 66, 67, 68.

Assise.

A Man shal haue an assise of Estouers, of wood, and of profit to be taken in wood, of Muttes, Acornes, and other fruite to be gathered, of a Corrodie, of deliuering Corne and other vitailes and necessaries, to be receiued yeerely in a place certaine, of Tolle, Tonnage, Passage, Pontage, Pawnage, and such like things to be taken in places certayne. And an assise doth lie of the keeping of Woodes, Forestes, Parkes, Chaces, Warrens, Gates, and other Bayliwickes, and offices in fee, and in al the foresayde cases the writ shalbe de libero tenemẽto. And as the Assise doth lye of common of pasture, so doth it of common of Turbary fishing, and such lyke, which a man hath belonging to his freehold or without his freehold by speciall deede, at the least for terme of life. And also it lyeth agaynst him which pastureth an other mans seuerall. West. 2. 13. Ed. 1. 25.

Assise of Estouers, wood, Corrodie.

Tolle, Tonnage, Passage, pontage Pawnage.

Assise of offices

Assise of cõmon of Turbarie fishing.

2 ¶ If tenant for terme of yeeres, or gardein of any tenement doth alien the same in fee, whereby the freeholde is transferred vnto the feffee, the remedy is by Assise, & the alienor shalbe adiudged a disseisor, and so shall the feoffee, so that during ỹ life of either of thẽ, the same writ wil lie. And if by the death of the foresaid persons, the saide remedie doth faile, thẽ there shalbe redresse by a writ of Entry, West. 2. 13. Ed. 1. 25. And the heire shall haue his recouerie immediatly by assise against the gardein and tenant. And the Gardein shal lose during his life the custodie of the same thing recouered, and of al the residue of the inheritance which he holdeth of the same heires, West. 1. 3. Ed. 1. 48.

Assise against Garden or tenaunt for yeres and their Alienees.

3 ¶ If tenant by Elegit be put out of the tenement, which he hath in execution, he shall haue an assise. 13. Ed. 1. 18. And so shall tenant by statute marchant, if he be put out. 13. Ed. 1. mercat. And in like sort shall tenant by statute staple if he be put out. 27. Ed. 3. 9. And also tenant by recognisance in the nature of a statute staple, his executors, administrators and assignes shall haue an assise, if he, they, or any of them be disseised, or put out of the landes in execution. 23. Henrie. 8. 6. And assise may be mayntayned by any parson deforced, which hath estate of inheritance freehold, terme, right, or interest,

Assise by tenant by elegit, statute, Recognisaunce.

Assise of a parsonage, vicarage, tithes.

in, or to any Parsonage, Vicarage, Porcion, Pencion, Tithes, Oblations, or other ecclesiasticall profit, made or to be made temporall for the recouery of the same. 32. Hen. 8. 7. And the Parson of a Church may recouer common of pasture by Assise. 13. Ed. 1. 25.

Assise of common by the Parson of a Churche.

4 ¶ If any Eschetor, Sherife, or other of the Queenes Bailifes shall by colour of his office, (without speciall warrant, commandement, or certaine authoritie which belongeth to his office) disseise any man of his freeholde, or of any thing which belongeth to his freehold, either the disseisee at his choise shall haue assise &c. and recouer double dammages, and the defendant shalbe amerced: or else the Queene vpon the disseisies complaint shal redresse the matter. West. 1. 3. Ed. 1. 24.

Assise against an officer of the Queenes.

5 ¶ Where landes be graunted by the Queenes patent, without any title found by enquest, or else where the Queenes entry is not giuen by the lawe, they which be put out, or disseised of their freehold, shall haue an especial assise of ꝑ Lord Chauncelors graunt, without suite to the Queene: and if the parties to whom the patents be graunted, doe praie in ayde of the Queene, the Chauncelor shall graunt a writ of Procedendo, without further suite to the Queene. And if they which be put out, or the disseisies doe recouer against such pattentees, they shall recouer their treble damages. 1. H. 4. 8.

Assise against the Queenes patentee.

6 ¶ If any man in his own right, to his own vse, or in an other mans right to his vse, doeth make any forcible Entrie into an other mans lands by way of maintenance, or doth take, or carrie away any goods of the possessors of the freehold after any such forcible entrie, then if the Partie grieued, or other lawfull man wil affirme that the entry was made in such forcible maner, ꝑ Chauncelor may graunt to the Partie grieued a speciall assise, and if the disseisor be attainted of such forcible disseisin, he shalbe one yeere imprisoned, and pay to the Partie grieued his double damages, and also dammages for his goods, And one of the Justices of the one Bench, or the other, or the chiefe Baron of the Eschequer (if he be learned in the lawe) shalbe named in euery such special assise, And no Supersedeas shalbe graunted to the contrary of such assise. 4. Hen. 4. 8. S. Force &c. 3. & 5.

A special assise against a disseisor with force.

7 ¶ Assise of rent issuing forth of tenements in seuerall Counties shalbe holden in the border of the same Counties, and the assise shalbe tried by people of the same Counties in such maner as hath bin vsed of common of pasture being in one countie & appendant to tenements in an other Countie. 7. Ri. 2. 10.

Assise of rent going forth of lands in seuerall counties.

8 ¶ The panels of speciall assises shal be arraied, and a Copie

Copies of panel shalbe deli-

indented

indented thereof deliuered by the sherife to the plaintifes, tenants or defendants, by the space of vi. daies at the least before the Session of the iustices, if they will demand it. And the Bailifes of fraunchises shal make their returnes to the Sherifes of all such speciall assises vi. dayes before, vpon paine of forfaiture xl. li. to the Queene by the said Sherife, or Baylife, for euery default. 6. H. 6. 2. 42. Ed. 3. 11. uered to the parties.

9 ¶ If in assise brought before Justices alligned, the Sherife be named a disseisor, to the intent that he shall not serue the writ, but to haue the same directed to the Coroners, the tenant may pleade, that the Sherife neither is, nor euer was disseisor nor tenant of the tenements in demaund, but was named by Collusion, which being found by the assise, the Justices shal abate the writte, and the playntife shall be amerced. 11. H. 6. 2. And if assise, or other writ of plea of lande be brought against the lord of auncient demesne, or against the Maior, Baylifes, and comminaltie of fraunchises, of landes within the same fraunchises which be neither disseisors, nor tenants, but therein named to take away their franchise, first the Justices shall inquire by the assise whether the lord, Maior, Bailifes &c. be disseisors or tenãts (if they require it) or be named by Collusion. And if it be found that they be neither disseisors nor tenants, but named by collusion, then ỹ writ shall be abated, and the plaintife amerced, notwithstanding the other tenants or disseisors be named, or found in such assises or writs. 9. H. 4. 5. And if assise, or any personall action be sued of any landes within any fraunchise or auncient demesne whereof the Jurisdiction belongeth to the Lordes, Maiors, Bailifes, &c. if the defendant make default to put the said Lords, Maiors &c. from their franchise, then the Justices at the request of the Lordes, Maiors, Bailifes &c. shall make enquirie by the assise &c. or by enquest &c. And if it be founde that such defaults be made by Collusion to exclude the Lordes, Maiors &c. of their fraunchises, cognisance or iurisdiction, ỹ writs shalbe abated and the plaintifes amerced. And the plaintifes, Lordes, Maiors, Baylifes &c. shal haue their Chalenges. 8. H. 6. 26. S. Dammages. 10. The sherife named a disseisor in assise. Lord of auncient demesne, maiors, &c. named disseisors. Defaut made to put the Maiors, &c. from their Jurisdiction.

10 ¶ If he which is named a disseisour doth personally alledge any false exceptiõ, whereby the taking of the assise may be differred, vz. that at an other time assise of the said tenementes passed betwixt the saide parties, or that a writ of higher nature dependeth betwixt them of the same tenements, and doth vouch any Roules or recorde to warrantie, and at the day giuen, he faile of his warrant, he shall be adiudged a disseisor without recognisance of the assise, & shall restore A disseisor by failing of a record vouched.

double dammages of that which is or after shalbe found, and also for his falshood shalbe one yeere imprisoned. But if the said exception be alledged by a Baylife, the taking of the Assise shall not therefore be differred, nor Iudgement vpon the restitution of the land and dammages, yet if the Lord of the same bailise which was absent, do after come before ỳ Iustice which tooke ỳ assise, & doth offer to proove by record & roules ỳ assise an other time passed betwixt ỳ same parties of the same lands, or that the playntise withdrewe him self in a lyke suite, or that a plea dependeth betwixt them by a writ of higher nature, there shall be a writ awarded to bring the recorde before the iustices, and when the iustices do see that the recorde woulde haue prevailed before iudgement, and that thereby the plaintise shoulde haue bene excluded of his accion, they shall immediatly warne the partie, which first recouered to appeare at a day, at which day the defendant shall haue againe his seisin and dammages which he fyrst payed, with the dammages after the first iudgement giuen doubled, and he which first recouered shalbe imprisoned at ỳ Iustices discretion. The like remedie shall the defendant haue against whom in his absence an assise passed, which sheweth any deedes or releases, vpon the making whereof ỳ Iury was not, nor could be examined because there was no mencion of them in pleading, for ỳ Iustices vpon the sight of those writings shall awarde a Scire facias against ỳ partye which recouered to appeare at a day, and also shall cause the Iurors of the same assise to come, And if they fynde those writings true, by verdict or inrolment, he shall be punished in forme aforesaide, which purchased assise contrary to his owne deede, West. 2. 13. Ed. 1. 26.

Certificat of assise.

Attachment in assise.

11 ¶ The shirife shal not take an Ore of him which is disseised, but of the disseysour onely, And if there be diuers disseisors named in one writ, yet he shall take but one Ore, and he shall take an Ore but of the price of v. s. or else the price. West. 2. 13. Ed. 1. 26.

1 Where the plaintife in assise may abbridge his plaint. S. Abr. 1.

2 The remedie where the disseisor or disseisie dieth immediatly after the disseison, or depending the suit, S. age. 1.

3 Where the tenant in assise may make Atturney. S. Atturney. 3

4 That the Iurors in assise are not compellable to say precisely that it is a disseison. S. Iurors. 32.

5 For the pleading of Iointenancy in assise. S. Iointenancy. 1.

Attaint.

Attaint where the thing extendeth to xl. li.

VPon euery vntrue verdict giuen betwixt partie and party in any suit, plaint, or demaund, before any iustices or iudges of re-

cord

cord where the thing in demaund (and verdict thereupon giuen) extendeth to the value of xl.li.& concerneth not the ieoperdie of mans life, the partie grieued by ỹ ſame verdict ſhall haue a writ of Attaint againſt euery perſon ſo giuing an vntrue verdict, & euery of them, & againſt the party which ſhall haue Iudgement vpon ỹ ſame verdict. And by the death of the partie, or any of the petit Iury the ſayde attaint ſhall not abate, nor be differred againſt the remnant, as long as two of the ſaid petit Iury be alyue, And euery one that ſhal paſſe in the ſame Attaint, ſhal haue landes to the value of xx. Marks by yere of freehold out of auncient demeſne. 23. H. 8. 3.

Attaint abateth not by the death of the defendant or any of the petit Iurie.

2 ¶ In the ſame attaint there ſhalbe awarded againſt the Iury, the party, and the graund Iury, ſommons, reſommons and diſtreſſe infinite, which graunde Iury ſhalbe of like number as the graunde Iury is nowe &c. and vpon the diſtreſſe, which ſhall be deliuered of record vpon the ſame, open proclamation ſhalbe made in the court where the diſtreſſe ſhalbe awarded, more then xv. dayes before the returne of the ſame diſtreſſe, and euery ſuch diſtreſſe ſhalbe made vpon the lande of euery of the ſaide graund Iury, as in other diſtreſſes is vſed. And in all ỹ aforeſaid proces, ſuch day ſhalbe giuen, as in a writ of dower, wherein no E. P. &c. 23. H. 8. 3.

What lands ech Iuror muſt diſpend.

Proces in attaint.

3 ¶ If the defendãt or the petit Iurors, or any of them appeare not vpon the diſtreſſe, then the graunde Iurie ſhalbe taken agaynſt them & euery of them, that ſhal ſo make default. And if any of ỹ ſaid petit Iurie appeare, then the partie complainant ſhal aſſigne ỹ falſe Serement of the firſt verdict vntruely giuen, whereunto they of ỹ petit Iurie ſhal haue none anſwere if they be the ſame perſons, And the writ, proces, returne, & aſſignement good & lawful, (except that the demandant or plaintife in the ſame attaint hath before bene nonſuit or diſcontinued his ſuit of attaint taken for the ſame, or hath for the ſame verdict in a writ of attaint had iudgement againſt the ſaid petit Iury,) but only that they made true ſerement, which iſſue ſhalbe tried by xxiiii. of the ſaid graund Iury (for vtlawrie in a perſonal Accion, or cauſe, or excommengment pleaded in the plaintife or demaundant, is a void plea, wherunto he ſhal not be put to anſwere) And ỹ partie ſhal plead ỹ they gaue true verdict, or any other matter, which ſhalbe a ſufficiẽt Barre of ỹ ſaid attaint, And ỹ graũd Iury ſhalbe taken without delaye to enquire whether the firſt Iurie gaue true verdict or no. 23. H. 8. 3. Stat. de Attinctis. 13. Ed. 2.

The graund Iury taken by default of the defendant or petit Iury.

What pleas the petit Iury may pleade.

What plea the defendant in attaint ſhal plead

4 ¶ And if they find that the petit Iury gaue an vntrue verdict, then euery of the ſaid petit Iury ſhal forfayt xx. li. to ỹ Queen & the partie

The puniſhment where ỹ petit Iury is attainted.

partie that sueth, to be leuied by Capias ad satisfaciendum, Fieri facias, or Elegit, or by accion of debt, And euery of the said petit Iurie shall seuerally make fine, by ỹ discretion of the Iustices, before whō the said false serement shalbe found, after their seuerall offences, defaultes, and sufficiency, and shall neuer after be in any credence, nor their othes accepted in any court. 23. H. 8. 3.

Iudgement for the plaintife.

5 ¶ If such pleas, as the partie pleadeth, which is a barre of the attaint, be found or deemed against him, then the partie that so sueth shall haue iudgement to be restored to that he lost, vō his resonable costs and dammages. 23. H. 8. 3.

Attaint of any thing personall vnder. xl li.

6 ¶ If a false verdict be giuen in any accion, suit, or demaunde before any Iustice &c. of record, of any thing personal, as debt, Trespas, and other like, which shalbe vnder the value of xl. li. thē the partie grieued shall haue Attaint with such proces, and pleas, & without delaies vt supra. And if the petit Iury be attainted, then euery of thē shall forf. v. li. to the Queene and partie, &c. and also make fine by the discretion of the Iustices, & euery person that may dispend v. marke by yeere of freeholde out of auncient demesne, or is worth C. marks in goods, is able to passe in the same attaint. 23. H. 8. 3.

Tales into an other shire.

7 ¶ If there be not persons of such sufficiencie within the shire or place, where any of the saide attaints shalbe taken, as may passe in the same, then one Tales shalbe awarded, vnto the shire next adioyning by the discretion of the iustices &c. which shalbe warned to appeare vpon like paines &c. & enabled to passe in the said attaints, as if they were dwelling in ỹ shire where the same shalbe taken. 23. H. 8. 3

Iudgement for the defendant where ỹ plaintife is nonsuit or doth discontinue.

8 ¶ If the partie in attaint giuen by this act, be nonsuit, or discontinue the same, he shall make fine and ransom by the discretion of the iustices, before whom the said attaint shalbe taken, & depending. And the Iudgement of restitution to the partie grieued, suing this act and execution of the same shalbe had, and like Iudgement for the defendant or tenant to be discharged of restitution, as in case of a graund attaint hath bene vsed. 23. H. 8. 3.

Attaints take in the kinges Bench, cōmon place and by Nisi prius. Atturney in attaint.

9 ¶ All attaints shalbe taken before the Queene in her bench, or before the Iustices of the common place, and in none other courtes. And Nisi prius shalbe graunted by discretion of the Iustices vpon ỹ distresse. And euery of the said petit Iury, may appeare and answere by Atturney in the said attaint. 23. H. 8. 3. 13. El. 25.

Summons & seuerance in attaint.

10 ¶ If there be diuers plaintifes or demandantes in an attaint, the nonsuit or releas of any of them, shal not be preiudicial to ỹ residue, but they and euery of them in such cases may be sommoned

and

and seuered, like as it is vsed, when there be diuers demaundants in accions reall. 23.H.8.3.13.El.25.

11 ¶ The same lawes, actions, & remedy, ordayned by this Act, shalbe kept, for and to all them that be grieued by such vntrewe verdictes of any inheritance in discent, reuersion, remainder, or of any freeholde in reuersion or remainder. 23.H.8.3.13.El.25.15.H.6.5. If tenant for life, in Dower, by the Curtesie, or in tayle after possibilitie of Issue extinct, be impleaded, plead to Enquest, and lose by verdict, default, or in other maner, he to whom the reuersion of the same landes be, at the time of the iudgement, his heires or successors, shall haue a writte of attaint, to attaint the Jury, if he wil assigne the false serement, aswell in the life of the sayde tenants as after their death. 9.R.2.3.S.Errour.1.

Attaints of inheritance.

He in the reuersion may haue attaint of a verdict giuen against the particular tenant.

12 ¶ A writ of attaint shalbe grãted, aswel in plea of land of freehold, or any thing touching freehold, as in plea personal. 3.Ed.1.37. 34.E.3.7. And aswel vpon the principal as vpon the Dammages in an Accion of trespas. And in this & all other cases the Justices shall not let to take the attaint for the Dammages not payed. 1.Ed.3.6. And attaint shalbe granted in pleas of Trespas pursued aswel by bil as by writ before Justices of record. 5.Ed.3.7.28.Ed.3.8. Nisi prius shalbe grãted in attaint, but neither Essoine of the Queens seruice, nor protection shalbe allowed therein. 5.Ed.3.7. The partie grieued by any false verdict giuen in any accion, suite, auowry, prescription, title or claime, made according to the statute prouided for the limitation of prescription, may haue an Attaint. 32.H.8.2.

In what cases attaint wil lye.

13 ¶ The partie grieued by any false verdict giuen in any of the courts of the Citie of London, shal & may sue Attaint by Bill in the hustings in London, holden for cõmon pleas before the Maior & Aldermen of the same citie, & thereupon a precept shalbe awarded by the same Maior to euery Aldermã of the sayd citie, or his deputie in his absence, to certifie the names of iiii. indifferent & discrete persons of good fame, & euery of them of substance of C.li. or more, Citizens of the same citie, dwelling in his ward, to the Maior & Aldermen of the said citie at the hustinges then next ensuing, of which persons so certified, the sayd Maior and vi. Aldermen or moe holding the same Court of husting, shal impanel xlviii. persons, and the Maior shall cause to be sommoned the said xlviii. and also the Jurors of the petit Jury, and the tenants or defendaunts in the sayd bill of Attaynt, to appeare before the Maior and Aldermen of the same Citie, at the hustings of common pleas then next to be holden in the same Citie.

Attaint sued by bill in the Hustings in London.

And

And if the same Attaint happen to remaine vntaken by defaut of Iurors by challenge or otherwise, vpon euery Tales granted, the sayd Maior & Aldermen shal impanel the sayd persons which were certified by the said Aldermen, or their deputies, & omitted out of the sayd panel, or put therein other persons being Citizens of the sayd Citie, and of the substance of C.li. or more, 11.H.7.21.

Who be sufficient to passe vpon Attaint in London.

14 ¶ None of the petit Iury, ne other parties named in any such bil of Attaint, shal haue any challenge to the Array, or to any person beyng impanelled for lacke of sufficient goods or lands, 11.H.7.21. And euery person being a Citizen of the citie of London, & worth in goods CCCC. markes, may be impanelled by the Sherifs of London in euery Attaint brought by writ, by vertue of the aforesayd statute of 23.H.8. vpon any verdict giuen by the Citizens without any challenge for insufficiency of freehold of any of them. 37.H.8.5.

Pleas of attaint commenced in london, shalbe tried in Londō

15 ¶ All the pleas pleaded for ẏ tenant or defendāt or by any of ẏ Iurors of ẏ petit Iury in ẏ same attaint, & triable by any iury, shalbe tried within ẏ same city, & by the Enquests of ẏ same, & in none other place ne Countie, 11.H.7.21. And the Iustices vpon attaint sued by writ according to the foresaid statute of 23.H.8. vpon any verdict giuen by the Citizens of London, shal sit only at ẏ Guild Hal of ẏ same citie, or at some other place within the same citie, & there sweare the graund Iury & take the verdicts, & the Citizens shal not be compelled to appeare in any such Attaint taken vpon any vntrue verdict giuen in London, but only within the limits of ẏ said Citie. 37.H.8.5.

The iudgement where the petit Iury in London is attainted.

16 ¶ If the graund Iury sworne in the same attaint, find that the petit Iury haue giuen an vntrue verdict, then the iudgement shalbe giuen against the defendant as is vsed in attaint sued by writte, at the common law. And the iudgement shalbe against the petit Iury, that euery of them shal lose xx.li. or more by the discretion of the Maior, & Aldermen of the sayd Citie, keeping the Hustings, to such vse as other issues & penalties bene forfaited in any accion or playnt cōmenced before the Maior & Aldermen &c. and his body to be imprisoned, there to remaine without baile or mainprise vi. moneths, or lesse, by the discretion of the Maior & Aldermen &c. & to be disabled for euer to be sworne in any Iury before any tẽporall Iudge, But the iudgement in such attaint shal not extend to any lands or tenements ne to other punishment of the petit Iury, 11.H.7.21.

The iudgement where the first verdict is affirmed.

17 ¶ If it be found by the graūd Iury, ẏ the petit Iury haue giuē a true verdict, then the graūd Iury shal haue auctority to enquire if any of the petit Iury receiued any summe of mony, or other reward,

or

or promise of mony, or other reward, of ỹ named defendãts or tenãts in the same attaint, or of any other person, by the cõmãdement, couin or assent of any of thẽ, for the intent of their verdict giuing, wherupõ the same attaint is grounded, & after any such corruption by the sayd graund Jury found, then the iuror ỹ is so found defectiue in taking &c. shal pay to the plaintif named in the same attaint x. times the value of the summe, or other reward so taken, or promised, & shal suffer imprisonment without baile or mainprise vi. moneths or lesse, by the discretiõ of the said Maior & Aldermen, & shalbe disabled for euer, to be sworne in any Jury, before any temporal Judge, & such defendãt or tenant, in ỹ same attaint shal pay to such vse as other penalties bin forfaited within the same Citie, x. tymes the value of that summe of money or other reward, by him so giuen to any of the said petit iury, & shalbe imprisoned without baile or mainprise, during vi. moneths or lesse, by the discretion of the said Maior & Aldermen. 11.H.7.21.

Enquire of the taking of rewards.

18 ¶ If any debts, & damages, or costs be recouered in any acciõ whereupon such attaint is grounded, & by the same attaint it be foũd that the petit Jury haue giuen a false seremẽt, then for the recouery & restitution of the same debt, damages & costs, the playntif in euery attaint shal & may sue an accion of debt against the same defendãt or tenant, by writte, Bil or Plaint &c. wherein no Wr. &c. 11.H.7.21.

Remedy for the debts and damages recouered in the first accion.

19 ¶ If any plaintife in any such attaint be nonsuit, or if the first serement therin be affirmed, then he shal haue imprisonmẽt, & make fine by the discretion of the Maior & Aldermen &c. and that fine shall be to the Maior and Comminaltie of the sayd Citie. 11.H.7.21.

If the plaintif be nonsuit, or the first verdict affirmed.

20 ¶ If there be two, or mo plaintifs in any such attaint, & any of them die or be nonsuit, ỹ other shalbe enabled to sue for ỹ proceeding in the same attaint: and notwithstãding ỹ death of ỹ defendant or tenãt, or any of ỹ petit Jury named in ỹ same attaint, so ỹ there be two of the same petit Jury on liue, ỹ attaint shal not abate. 11.H.7.21.

The attaint shal not abate, though one of the plaintifs die or be nonsuit.

21 ¶ Upon all attaints cõmenced within this citie of Londõ vpõ any record, wherin ỹ inquest was by halfe tõgue, the Maior & Aldermen shal impanel the graund Jury, the one half of strãgers, of good name, of goods to the value of C.li. & more, inhabiting within ỹ same Citie, and the residue of Citizens of the same value. 11.H.7.21.

Attaint per medietatem linguæ.

22 ¶ It is at ỹ libertie of al persõs, vpõ any vntrue verdict giuẽ in any courts of ỹ citie of Lõdõ, to sue their attaint vpõ ỹ stat. made 23. H.8. or els vpõ ỹ stat. made 11.H.7. at their own pleasure. 23.H.8.3

Libertie vpon whether statute the party wil sue attaint

1 What challenge is allowable in attaint sued by bil or writte, in London. S. Challenge. 1.2.3.4.

2 What

2 What issues euery Iuror, which appeareth not in attaint shall forfait. S. Iurors. 26.

3 Attaint by an heire within age vpon a verdict past against him. S. Age. 1.

Atturney.

Suit of Court

EVery free man which oweth suit to the county, Tything, Hundred, and wapentake, or to his Lords court, may freely make his atturney to do those suites for him. Merton. 20. H. 3. 10.

A general atturney.

2 ¶ Euery man which feareth to be impleaded before the Justices of the Kings bench, Common place, Iustices in Eire or of assises, or in any countie before the Sherif, or in any court Baron, may make a generall atturney to pursue for him in the foresaid causes to be sued by him or against him, which atturney hath power to procede in the same suits, vntil they be ended, or that his master doth remoue him. West. 2. 13. Ed. 1. 11.

Assise.

3 ¶ The tenants in assise of nouel disseisin, may make atturnes if they wil, & also they may plead by Bailifes, Stat. Eborum. And after the tenant hath appeared in assise, attaint, or Iuris vtrum, he cãnot be essoyned, but may make atturney for him. West. 1. 3. Ed. 1. 41.

Attaint.

4 ¶ Euery of the petit Iury in attaint may appeare and answer by atturney in the same attaint. 23. H. 8. 3. 13. El. 25.

Appele.

5 ¶ The appellant in any appeale of murder, or death of man where battel by the course of the common law lyeth not, may make his atturney, and appeare by the same in the sayde appeale after it is commenced, to the end and execution of the same. 3. H. 7. 1.

Suits wherin appeale lyeth not.

6 ¶ The defendants may make atturneys in such suites where appell lyeth not, so that if they be attainted, in their absence the shal shalbe commanded to take them, and then they shall receyue the punishmente that they should haue had, if they had bene present when iudgement was giuen. Glo. 6. Ed. 1. 8.

Sherifes officers shal not be atturneys.

7 ¶ No vnder sherif, sherifs Clarke, sherifs receyuer, or bailif shall be atturney in any of the Quenes courtes for the tyme he is in office, with any such Sherife. 1. H. 5. 4.

These officers shal not be attorneys.

8 ¶ No Steward, Bailife or officer of any Lorde of a franchise which hath returne of writes, shalbe atturney in any plea within the same franchise. 4. H. 4. 19.

None shal receiue atturneis but in suits depending before him.

9 ¶ If any Baron of the Exchequer, or Iustice, or any of their Clarks or officers, shal receiue any atturneis, but only in the pleas & suits depending before them & their felowes, & in the Courts where they are assigned, the same admission is voyde, Carlile. 15. E. 2.

10 ¶ Euery

10 ¶ Euery Iuſtice of the one bench and the other, and alſo the chief Baron of the Eſchequer haue auctho*r*itie to examine outlawed perſons which be ſicke of any diſeaſe openly knowen, and to reco*r*de atturneis fo*r* them, But in a writte of Capias ad ſatisfaciendum, the common law holdeth place. 7. H. 4. 13. Atturneis for outlawed perſons diſeaſed.

11 ¶ If any Atturney be openly founde in default by reco*r*d o*r* otherwiſe, he ſhall fo*r*ſweare the court, and neuer after be allowed to pro*ſ*ecute any ſuite in any of the Queens courts, and euery atturney ſhalbe ſwo*r*ne truely to ſerue in their offices, and eſpecially to make no ſuite in a fo*r*reine county. 4. H. 4. 18. The punishmēt of atturneys found in defaut. Atturneis oth.

12 ¶ In all ſuites where the exigent lyeth, if the Atturney haue not his warrant of reco*r*de the ſame terme that the exigent is awarded, he ſhal loſe xl. s. to the Queene, if he be attainted thereof by examination of the Iuſtices, 18. H. 6. 9. Warrant of atturney entred of record.

13 ¶ Euery ſuch perſon which ſhalbe atturney fo*r* any other perſon o*r* perſons being demandant o*r* plaintif, tenant o*r* defendant, in any accion o*r* ſuit cōmenced in any of the Queenes courts of reco*r*d at Weſt. & plead to an iſſue in the ſame, ſhal deliuer o*r* cauſe to be deliuered his lawfull warrant of atturney to be entred of reco*r*d fo*r* euery of the ſayd accions o*r* ſuits wherein he is named atturney, to the officer o*r* his deputie o*r*deined fo*r* the receipt o*r* entring thereof in the ſame terme, when the ſayd iſſue is entred of reco*r*de in the ſaide court, o*r* before, vpō paine of fo*r*feiting x. li. fo*r* euery default fo*r* non deliuering of the ſayd warrant, the one moitie to the Q. &c. the other to ſuch officer to whom &c. ẏ ſame warrant ſhould be deliuered &c. to be recouered by A. B. I. &c. wherein no Wl. &c. E. o*r* P. &c. And alſo further ſhal ſuffer ſuch impriſonment, as by the diſcretion of the Iuſtices of the court (where any ſuch default ſhall be made) ſhall be thought conuenient. 32. H. 8. 30. 2. Ed. 6. 22. 18. El. 13. When the atturney ſhall enter his warrāt.

14 ¶ There ſhalbe but ſixe common atturneis in the County of No*r*folke, & ſixe in the Countie of Suffolke, and two in the Citie of No*r*wich, to be atturneys in courts of reco*r*d, and all the ſayd xiiii. atturneis ſhalbe elected and admitted by the two chiefe Iuſtices fo*r* the time beyng, of the moſt ſufficient & beſt inſtructed by their diſcretions, and the election and admiſſion of all atturneys by the ſayd Iuſtices aboue the ſayd nomber in the ſaid counties, ſhalbe voyd. And if any perſon vſurpe, o*r* preſume to be atturney in courts of reco*r*d in ẏ ſaid counties o*r* citie, otherwiſe then before is ſpecified, & that founde by inquiſition, taken before the Iuſtices of peace in the ſaid Citie o*r* coſities (which haue power to enquire therof in their Seſſions) o*r* in any Atturneys in Norfolk, Suffolke, Norwich.

any other maner lawfully proued, then he that so presumeth (if he be ther of lawfully conuicted) shal forfait xx.li. to the Queene & the Informer &c. as often as he is so conuicted, to be recouered by any that wil sue by accion of debt, 33.H.6.7. In the same statute it is prouided that the said ordinance should beginne, & first take effect at the feast of Easter then next comming and not before, if the same ordinance seeme reasonable to the Iustices.

Auditor and Receiuer.

The Audit shal be proclaimed.

EVery of the Queens Auditors of the Eschequer, Duchy of Lãcaster, & court of Wards & liueries, shall yerely proclaime & declare in euery Coũty within their seueral limits, in iii. or iiii. market townes or other places by ỹ space of xx. daies before their audit, whẽ & where they wil keep their audits in the same shire, or they shal forf. v.li. for euery offence to ỹ Q. & I. to be recouered by A.I. &c. wherin no Wa. &c. E. or P. &c. 33.H.8.39.S. Accompt to the Queene, 12.

Auditors fees, for inrolment.

2 ¶ If any Auditor of ỹ Eschequer, Duchy of Lãcaster or court of wards and liueries, or any of his clarkes, or other to their or any of their vse, shal take for ỹ inrolment of any letters patẽts, decrees of ỹ same courts, grants or indentures of leases, or for ỹ alowance of the same, aboue. iii.s. iiii.d. he so offending shal forfeit vi.s. viii.d. for euery peny which he taketh aboue the aforesayd summe, to the Queene & the Informer &c. to be recouered by A.I. &c. wherin no Wa. &c. E. or P. &c. and if any person do offer to any such Auditor any such letters patents, decrees, leases &c. to be inrolled, he shall inroll the same or almuch thereof as shal appertaine to his office. 33.H.8.39.

What fees euery Receiuer shal take.

3 ¶ Euery Receiuer of the Eschequer, Duchie of Lancaster & court of wards & liueries, which shal pay to any person an annuitie, pencion, or other rent, shall (if the same person vpõ the receipt therof wil deliuer vnto him a sufficient acquitãce, sealed & signed, testifying ỹ same receit) receiue the same, without taking any reward therfor, vpõ pain to forfait for euery peny or peny worth receiued vi.s. viii.d. And if the party do not deliuer such a sufficient acquittance, but that the Receiuer or his clerke doth make the same, he shal haue therfor iiii.d. & if he take aboue iiii.d. he shall forfaite for euery peny or peny worth so takẽ vi.s. viii.d. And if any Treasorer, Receiuer or minister accomptant or their deputies which shall pay to any person, any fee, annuitie, pencion, duety, warrãt or rent, do reteine, receiue or take of the party, to whome he shal pay the same, in way of reward or otherwise, aboue viii.d. for euery pounde that he shall pay, he shall forfaite vi.s. viii.d. for euery peny or peny wooyth which he shall receyue ouer,

ouer, to the partie greeued to be recouered by A.B. or P. wherein no W. &c. E. or P. &c. 33. H. 8. 39. 7. Ed. 6. 1.

1 That Receiuers shal enter into bond with sureties to accompt and pay such money as they may lawfully be charged with, See Accomptants to the Queene. 10.

2 For Auditors & Receiuers precepts to Baillifes and other Accomptants, S. Accompt &c. 11. 12.

3 At what time Receiuers shal accompt, & when they shal make payment, S. Accompt &c. 16, 17. 18.

4 When Auditors may cõmit accõptants to prison, S. accõpt. 2.

Auowrie.

Auowrie vpon the land without naming anye person.

WHeresoeuer any manor, lãds, tenemẽts & other hereditamẽts be holdẽ by any person by rẽts, customes or seruices, if ỹ lord of whom any such manor, lãds, tenements or hereditamẽts be so holden, distraine vpon ỹ same lands, for any such rents, customes, or seruices, & repleuin therof be sued, the lord of whom the same lands &c. be so holden may auow, or his bailife or seruant make cognisance, or iustifie for taking the sayd distresse vpon the same lands, tenemẽts or hereditamẽts so holden, as in lands &c. within his fee or segniorie, alledging in ỹ said auowrie, conusance & iustificatiõ, the same lãds &c. to be holdẽ of him wout naming of any person certain to be tenãt of ỹ same, & without making any Auowry, iustificatiõ, or conisance vpõ any person certeine: And likewise the Lord, Bailife, or seruant shall make auowry, iustification or conusance in like maner & forme, vpon euery writ, sued of Second deliuerance. 21. H. 8. 19.

Auowrie vpon the land in Second deliuerãce

2 ¶ Euery Auowant, & euery other person, that make any auowrie, iustification or conusance, as baylife or seruant to any person in any Replegiary or Second deliuerãce for rents, customes, seruices, or for damage fesant, or other rentes vpon any distresse taken in any lands or tenements, if the same auowry, iustification or conusance be found for them, or the plaintife in the same by nonsuite, or otherwise barred, then they shall recouer their damages & costs against the said plaintifs, as the same plaintifes should haue done if they had recouered therein against the said defendants, 21. H. 8. 19. S. Damages. 7.

Auowant shall recouer costs and damages against the plaintife.

3 ¶ The said plaintifs & defendãts in ỹ said writs of Replegiare or of Secõd deliuerãce, & in euery of them, shal haue like pleas & like Ayde prayer in all such auowries, conusances & iustifications (Pleas of disclaimer only except) as they might haue had before the making of this Act, & as though the said Auowry, conusance or iustification, had bene made after the due order of the common lawe. 21. H. 8. 19.

Such pleas & ayde prayer, as were at the common lawe.

4 ¶ All

Joyning in ayde.

4 ¶ All ſuch perſons as by the order of the common lawe may lawfully ioyne to the plaintifs or defendãts in the ſaid writtes of Replegiary or Second deliuerance, aſwel without proces as by proces, ſhall ioyne vnto the ſayd plaintifs or defendants aſwell without proces as by proces, and haue like pleas, & like aduantage in all things (Diſclaimer onely except) as they might haue done by the order of the common law before the making of this Act. 21. H. 8. 19.

Auowry for rents due after the eſtates in the ſame rents be determined. S. Rents. 1. 2. 3.

Aduowſon.

Vſurpacion during particular eſtates.

IF any mã which hath no right, doth preſent vnto a Church during the wardſhip of any heire within age, or during ẏ intereſt of tenant by the curteſie, in dower, tenant for terme of life, or yeres, or tenant in tayle, by the fraude or negligence of the warden of the ſame heire, or of any of ẏ aforeſaid tenãts, the ſame preſentatiõ ſhal not be ſo preiudicial to the ſame heire, or to him to whom the reuerſion ſhal come after the death of any of the aforeſayd tenãts, but that after the heire ſhal come to his full age, or the Church be come void after the death of any of the aforeſaid tenants, he to whome the ſame belongeth ſhal haue the ſame accion & recouery by poſſeſſary writ to recouer the aduowſon, as the laſt anceſter of ſuch heire being of full age in the laſt aduoydance falling before his death or before the demiſe was made for a terme, or in taile, ſhould haue had. And the like remedy is to be had of preſentations made to Churches of the inheritance of wiues during their couerture. Alſo Biſhops, Archdeacons, parſons of churches, and other eccleſiaſticall perſons ſhall haue remedie by this ſtatute, if any man hauing no right do preſent vnto churches belonging to their ſpiritual dignities or perſonages during the vacatiõ of ſuch dignities, parſonages &c. Weſtm. 2. 13. Ed. 1. 5.

2 ¶ But this ſtatute ſhall not be vnderſtand ſo largely, that the foreſayd perſons for whoſe remedy it was ordeyned, ſhall haue their recouery by ſurmiſing that the ſaid wardens or tenants did fainedly defend the ſuite moued by, or againſt them: for iudgements giuen in the Queenes court ſhall not be annulled vntill they be defeated by Error, attaint or certificat. Weſt. 2. 13. Ed. 1. 5.

Remedie for a diſturbance after a particular eſtate ended.

3 ¶ If it happen after the death of the anceſter which preſented, that the ſame aduowſon be aſſigned in dower, or holden by the curteſie, and thoſe tenants preſent, & after their death the right heire be diſturbed to preſent, it is in his election, whether he will haue a Quare impedit or Aſſiſe of Darrein preſentment, and in like ſort it is of

Aduowſon demiſed for terme of life, yeres or in taile. Weſtm. 2. 13. Ed. 1. 5.

4 ¶ If a man do ſuffer a recouery of a manor whereunto an aduowſon is appendant, he that doeth recouer the ſame, ſhall haue a Quare impedit vpon a diſturbance, as he, againſt whom the recouery was, might haue had. 7. H. 8. 4. — The recoueree ſhal haue a Quare impedit of the Aduowſon.

5 ¶ If there be agreement made betwixt ſeueral perſons which do claime the aduowſon of a Church, and inrolled before the Juſtices or by a fine, in this maner, the one ſhal firſt preſent, & at the next aduoydance another, and at the third a third, and ſo further, & when one hath preſented for his turne, according to the agreement, and at the next auoydance he to whome the ſecond preſentation belongeth, is diſturbed by any that was party vnto the agreement or ſome other in his ſtead, he ỳ is diſturbed ſhall not need to ſue a Quare impedit, but ſhall haue recourſe to the Roll or fine, and if the agreement be there found, he ſhal haue a Scire fac. to warne ỳ diſturber to appeare within xv. dayes or iii. weekes, according to the diſtance of the place, to ſhewe if he haue any thing to ſay why the party diſturbed ſhould not recouer his preſentation. And if he appeare not, or doe appeare and can ſay nothing why the party diſturbed ſhould not recouer his preſentation by reaſon of any deede after the agreement made or enrolled or the fine, he ſhal recouer his preſentation with his damages, Weſtm. 2. 13. Ed. 1. 5. — Preſentacion by compoſicion.

6 ¶ When an aduowſon diſcendeth vnto Parceners, though one preſent twiſe, & vſurpeth vpon his coheire, yet he that was negligent ſhal not be clerely barred, but another time ſhal haue his turne to preſent when it falleth, Weſtm. 2. 13. Ed. 1. 5. — Vſurpation by Parceners.

7 ¶ If the defendant do except in Aſſiſe of Darrein preſentment or Quare impedit, that the Church is full of his owne preſentation, the ſuit ſhall not remaine by reaſon of that plenertie, ſo that the writ be purchaſed within ſixe moneths, though he cannot recouer his preſentation within ſixe moneths. Weſtm. 2. 13. Ed. 1. 5. — Plenertie of the defendants preſentment.

8 ¶ Damages ſhalbe awarded for two yeres value of ỳ Church, in a Quare impedit, and Darrein preſentment, if ſixe moneths doe paſſe by any mans diſturbance, ſo that the Biſhop doe conferre, & the very patron doeth loſe his preſentation for that time, & if the diſturber haue not wherewith to reſtore damages, he ſhalbe two yeres impriſoned. If the ſix months be not paſt, but the Aduowſon is recouered within that time, then damages ſhalbe awarded to halfe a yeres value of the Church, and the diſturber ſhalbe half a yere impriſoned, — Damages in Quare impedit or in aſſiſe of Darrein preſentment.

Weſt. 2. 13. Ed. 1. 5. See prerogatiue. 9.

9 ¶ When the parſon of any Church is diſturbed to demaund tythes in the next pariſh by a writ of Indicauit, the Patron of the parſon ſo diſturbed ſhall haue a writ to demaund the Aduowſon of the tithes in queſtion, And when it is diſproued, the ſuit ſhall ſo farre forth proceed in the ſpirituall Court, as it was diſproued in the Queenes court Weſt. 2. 13. Ed. 1. 5. S. there that writtes will lye of Chappels, Prebends, Vicarages, Hoſpitals, Abbeis, Priories, and other houſes, which be of other mens Aduowſons.

Badger, Lader, Carier, Drouer.

To whom and where a badgers licence ſhalbe made.

IF any licence be made to any Badger, Lader, Kidder or Carier of corne, Drouer of cattel, buyer or tranſporter of corne and graine, butter and cheeſe, otherwiſe then in the generall and open quarter ſeſſion of the peace holden in the ſhire where the partie admitted, aſſigned or allowed doeth, and by the ſpace of three yeres before the Teſte of his licence, hath dwelled, or other then to ſuch perſon as is, or hath bene maried, is a houſholder, no houſhold ſeruant or Retainor, and xxx. yeres of age at the leaſt, or to haue continuance for more then one yere, or which beareth not date the day and place where the Seſſions be holden, or is not ſigned and ſealed with the handes and ſeales of three Juſtices of the peace, being preſent at the ſame Seſſions, whereof one to be of the Quorum, the ſame licence is voyd, and the party which taketh the ſame ſhal forfait fiue pound to the Q. and I. to be recouered by I. I. &c. wherein no W. &c. E. or P. &c. 5. Eliz. 12. 13. Eliz. 25.

Licence to buy Corne out of a market.

2 ¶ No perſon ſhall vpon paine of v. li. to be forfaited and recouered as is aforeſaid, by authoritie of ſuch licence, buy any Corne out of open faire or market, to ſel the ſame againe, except he be thereunto ſpecially licenced by expreſſe words in his licence. 5. El. 12.

Licences and recogniſances ſhalbe regiſtred

3 ¶ All licences made to the ſaid Badgers, Laders, Drouers &c. and all recogniſances taken of them by the Juſtices of peace in their Seſſions (that they ſhall not doe any thing contrary to the ſtatute, 5. Ed. 6. 14) ſhalbe made and written by the Clerke of the peace of the ſame County or his deputie and none other perſon, and the ſaid Clerke ſhal haue xii. d. for the licence, and viii. d. for the recogniſance, and for the Regiſtring of them both iiii. d. at the moſt, for which fee the Clerke or his deputie ſhall keepe a Regiſter booke, and therein ſhal write the names, ſurnames and dwelling places of ſuch as be licenced, with a briefe entry of the licence and of the day, time, & place

where

where it was granted, which booke he shall bring to euery sessions that it may appeare what number of licences be graunted. 5. Eliz. 12. 13. Eliz. 25.

4 ¶ This act shall not extend to preiudice the liberties of any citie or towne corporat, but euery of them may lawfully assigne and licence purueiours for the prouision of the same citie or towne corporat, as they might haue done before &c. neither shall this act be preiudiciall to the inhabitantes within the Counties of Westmerland, Cumberland, Lancaster, Chester, Yorke, or any of them, but they may do as they haue vsed to do. 5. Eliz. 12, 13. Eliz. 25. S. Forstallers. Iustices of peace. 32. 33.

Purueiors for Cities and townes corporat.

Bankruptes.

IF any Marchant or other person vsing the trade of Marchandize by way of bargaining, exchange, rechange, bartery, cheuisance, or otherwise in grosse or by retaile, or seeking his or her trade of liuing by buying and selling, and being subiect borne of this Realme, or of any the Queenes dominions, or Denizen, shall depart the Realme, or begin to keepe his or her house, or otherwise to absent him or her selfe, to take Sanctuary, or suffer him or her selfe willingly to be arrested for any debt or other thing not growen or due for money deliuered, wares sold, or any other iust or lawful cause, or will suffer him or her selfe to be outlawed, or yeld him or her selfe to prison, or depart from his or her dwelling house to ỹ intent to defraud or hinder any of his or her creditors being also a subiect borne, of the iust debt or dutie of such creditor or creditors, he shalbe deemed and taken for a Bankrupt. 13. El. 7.

Who is a Bankrupt.

2 ¶ The Lord Chancellour, or keeper of the great Seale, vpon complaint to him made in writing, against any such person being Bankrupt as is aforesaid, hath authoritie by commission vnder the great Seale, to assigne such honest & discreet persons, as shal seeme to him good, who or the most part of them, shall haue authoritie to take such order with the body of such person wheresoeuer he or she may be had, either in his house, sanctuarie, or els where, aswell by imprisonment of his body, as with his landes, tenements, and hereditaments, aswell copy or customary hold as Free holde, which he shall haue in his owne right before he became Bankrupt, as also with all such landes, tenements, and hereditaments, as he hath purchased or obtained for money or other recompence, iointly with his wife, childe or children, to ỹ only vse of such offendor, or of, or for such vse, interest,

Cõmissioners shal take order for bankrupts bodies, lands, and goods.

right or title, as such offendor then shall haue in the same, which he may lawfully depart withall, or with any person or persons of trust to any secret vse of such offendor. And also with his money, goodes, cattels, wares, marchandizes, & debts wheresoeuer they may be fou̇d or knowen, and cause the said landes, tenements, fees, annuities, offices, goods, cattels, wares, marchandizes, & debts to be serched, viewed, rented, and appriſed to the best value they may, and by deed indented inrolled in one of the Queenes Courtes of Record, to make sale of the said lands, tenements, & hereditaments, & of all deeds, euidences, and writings, touching onely the same, belonging to any such offendour or debtor, and also of all fees, annuities, offices, goodes, and cattels, or otherwise to order the same for the true satisfaction & paiment of the same creditors, that is to say, to euery of ẏ said creditors a porcion, rate and rate like, according to the quantitie of his debts. And euery direction, order, bargaine, sale and other thinges done by the said persons so authorised, as is aforesaid in fourme aforesaid, shal be good in law to all intents against the said Offendor or debtor, his wife, heires, and children, and such persons as by such ioynt purchase with the offendor, shall haue any estate or interest in the Premisses, and against all other persons clayming by, from or vnder such offendor or debtor, by any Acte, had made or done after he shall become Bankrupt, as is aforesaid, and also against the Lords of the manors, whereof ẏ said Copyhold or Customary lands be holden, their heirs, successors and assignes, and euery of them. 13. El. 7.

Vendees of copy holds shall cõpound with the Lords of the manours.

3 ¶ All persons to whome any such sale of Copyhold or Customary lands shalbe made, shall (before they shall enter or take any profit of the same) cõpound with the Lordes of the manors, of whom the same shalbe holden, for such fines or incomes as heretofore hath bene accustomed to be paid therefore. And vpon euery such composition the said Lordes at the next Court to be holden, at, or for the said Manors, shal not onely graunt vnto the said vendee or vendees vpon request, the same Copy or Customarie landes, by Copy of court roll of the same Manors, for such estate, or interest as to them shalbe so sold, and reseruing the ancient rents, customes & seruices, but also in the same Court admit them tenants of the same copy or customary lands &c. as other Copyholders of the same manors haue bene wont to be admitted, and to receiue their fealtie accordingly. 13. El. 7.

Cõmissioners shal declare how they haue bestowed the bankrupts goods, &c.

4 ¶ Such of the said Commissioners as shall put the said Commission in execution, shal vpõ lawful request to them made by ẏ sayd Bankrupts, not only make a true declaration to ẏ same Bankrupts

of the

of the imploying and bestowing of their said landes, tenements, offices, fees, goods, cattels, & debts so paid to their said creditors, but also make payment of the ouerplus of the same (if any such shalbe) to the said bankrupts, their executors, administrators or assignes. 13. El. 7.

5 ¶ If after any such Act or offence cõmitted, & complaint thereof made to the said Commissioners, or the more part of them, by any partie greeued, as is aforesaid concerning the Premisses, knowing, supposing or suspecting any of the goods, cattels, wares, marchandizes, or debts of such offendor or debtor, to be in custodie, vse, or possession of any person, or any person to be indebted to any such Offendor, do make relation thereof to the said Commissioners or the more part of them: Then the said Commissioners or &c. haue full power to sende for, and call before them, by such Proces, meanes, or wayes, as they shal thinke conuenient, euery such person so knowen, suspected or supposed to haue any goods, debts &c. in his custodie &c. or supposed to be indebted to such offendor, and vpon his apparance to examine him alwel by his oth as otherwise, by such meanes, as the sayd Commissioners or &c. shall thinke meete for and vpon the specialtie, certaintie, true declaration and knowledge of all and singuler such goods and debts of any such offendor as be suspected to be in his custody, vse, occupation or possession, & all such debts as by himself shalbe supposed to be owing to any such offendor. And if any such person vpon such examination do not disclose plainely, & declare the whole trueth of such thinges as he shalbe examined of, concerning the premisses to his knowledge, or do deny to swere: Then euery such person denying to swere, or doe not declare the whole trueth being examined, vpon due proofe thereof to be made, before ỹ said Commissioners or &c. by witnes, examination, or otherwise, as to ỹ same Commissioners or &c. shal seeme sufficient, shal forfait the double value of all such goods, cattels, wares, marchandizes, and debts by them so concealed, and not plainly and wholy declared, which forfaiture shalbe leuyed by the said Commissioners or &c. of the lands &c. goods &c. of such person so denying to sweare, or not disclosing the whole trueth, by such meanes, and in such maner and forme, as is before limitted for the principal offendor, the same forfaiture to be imployed to and for the satisfaction of the debts of the said Creditors, in such like maner, rate and forme, as is aboue declared, concerning the ordering of the lands and tenements, offices, fees, goods, and cattels of such offendor or debtor, as is aforesaid. 13. El. 7.

Examination of such as haue bankrupts goods, or be indebted to them.

6 ¶ If at any time before or after that any such person depar-

Fraudulent possessing of Bankrupts lands & goods.

teth the Realme, or shal keepe his house, or otherwise absent himself, or take Sanctuary, or suffer himself to be arrested, outlawed or yeld his body to prison, any person doe fraudulently by couin claime, demaund, recouer, possesse or detaine any debts, dueties, goods, cattels, lands or tenemẽts, by writing, trust or otherwise, which were or shalbe due or appertaine to any such Offendor, other then such as he can and doe proue to be due, by right and conscience in fourme aforesaid, for money payed, wares deliuered, or other iust consideration to the iust value thereof, before the said Commissioners or &c. and the same to proceede (Bona fide) without fraud or couin, then euery such person so craftely demaunding, clayming, hauing or possessing any such debt, shall forfait double asmuch as he shall so claime, demaund, detaine or possesse, which said forfaiture shalbe leuied, recouered, and imployed in maner and forme before rehearsed. 13. El. 7.

How the ouerplus of the forfaiture shalbe employed after þ creditors payed.

7 ¶ If it shall fortune the creditors of any such Bankrupt to be satisfied and payed of their debtes and duties, of or with the proper lands, goods, & debts of the said Bankrupts, or of, or with the same, and some part of the forfeitures of the said double values, to be forfaited as is aforesaid, and that there shall remaine an ouerplus of the said forfaitures of the said double values, then the one moitie of the said ouerplus shalbe by the said Commissioners so executing the said Commission within conuenient time after the leuying therof, payed vnto the Queene &c. and the other moitie shalbe distributed amongst the poore within the Hospitals in euery Citie, Towne or Countie where any such Bankrupt shal happen to be. 13. El. 7.

A remedy for him which departeth from his house.

8 ¶ If any such person indebted, doe of purpose withdraw himselfe from his vsual mãsion house, then vpon complaint therof made to the said Commissioners, þ same Commissioners or the more part of them haue full power to award v. Proclamations, to be made in the Queenes name vpon fiue sundry Market dayes in such place neere the place where such Bankrupt hath most cõmonly dwelled, or made his aboade, commaunding him by the same Proclamations in the Queenes name, to returne with all conuenient speede, and to yeld his body before the said Commissioners or one of them, at such time and place, as by the said Proclamation shalbe appointed. And if the said person doe not according to such Proclamation repaire and yelde his body as is aforesaid, then the body of euery such offendor, shalbe adiudged to all intents out of the Queenes Proteccion. And also euery person that shall willingly and wittingly helpe to hyde or conuey, or shall willingly and wittingly receiue, detaine, or keepe se-

Conueying or hiding him which is demaunded by proclamation.

cretly any person so demaunded by Proclamation, shall suffer such paines by imprisonment of his body, or pay such fine to the Queenes Maiestie, her heires and successors, as to the Lord Chauncellor, or Lord Keeper &c. (being informed thereof by the Commissioners, or the more part of them) shall seeme conuenient for his said offence. 13. Eliz. 7.

9 ¶ If the Creditors of any such offendor or debtor &c. be not fully satisfied or otherwise contented for their debts and dueties by the meanes before specified, then the said Creditors & euery of them, shall and may haue their remedy for the recouery and leuying of the residue of their said debtes or dueties, whereof they shall not be fully satisfied in forme aforesaid, against the said Offendor, in like maner and fourme, as they should and might haue had before the making of this Act. And the said Creditours and euery of them, shalbe onely barred and excluded by vertue of this Act, of and for euery such part of the said debtes and dueties, as shalbe paid or deliuered vnto them, by order of the said persons as is aforesaid, and of no more portion or parcel thereof. 13. El. 7.

A remedy for the creditors which be not fully satisfied, according to this Statute.

10 ¶ If any person declared to be a Bankrupt by this Act, shall at any time after purchase any lands, tenements, hereditaments, free or Copy, Offices, fees, goods or cattels, or that any such shal descend, reuert, or by any meanes come to him, before his debts due to his Creditors shalbe fully paied, or otherwise agreed for: Then the same lands, goods, cattels &c. shall by the said Commissioners or the more part of them, be bargayned, sold, extended, deliuered and vsed for, and towards the payment of the said Creditours, in such like maner as other the lands, cattels &c. of the said Bankruptes, which they had, when they were declared first to be Bankrupts, should or might haue bene by vertue of this Act. 13. Eliz. 7.

Extending of lands & goods discended vnto, or purchased by a Bankrupt.

11 ¶ This Act shal not extend to any lands, tenements, or hereditaments free or Copy hold, which shalbe assured by any Bãkrupt, before he become Bankrupt, so alwayes that such assurance be made (Bona fide) and not to the vse of the Bankrupt himselfe onely, or of his heires. And that the parties to whose vse such assurance shalbe made, be not, at, or before the making of such assurance, priuy or consenting to the fraudulent purpose of any such Bankrupt to deceiue his Creditors. 13. El. 7.

Lands cõueted away before he became Bankrupt.

Barke.

IF any person fel, or cause to be felled any Oken trees, meete to be barked, where the barke is worth ii. shillings a Cart load, aboue

Okes shalbe felled in barking time only.

the charges of barking and pilling (timber to be beſtowed in or about building or reparations of houſes, ſhips or mils, or any of them only excepted) but betwixt the firſt day of Aprill, and the laſt of June, he ſhal forfait euery Oken tree ſo felled, or the double value thereof, to the Queene and Informer to be recouered by A. I. &c. wherein no W. &c. E. or P. &c. 5. Eliz. 8.

Purueiors ſhal fell okes onely in barking time.

2 ¶ No taker or Purueior of Timber, or his deputie, ſhal fell or cauſe to be felled for the Queenes vſe, her heires or ſucceſſors any Oken timber tree meete to be barked, but in barking time (Trees to be felled for building or repairing of any her Maieſties houſes or ſhippes onely excepted,) or ſhall in any wiſe take or receiue any profit by any loppes or toppes, or barke of any tree taken by him, or ſhal take, carry away, or diſpoſe from the owner any more of any tree to be taken as is aforeſaid, then only ẏ timber of the ſame tree or trees, to be vſed & beſtowed or imployed only in, vpon, or about ẏ Queenes buildings, or ſhippes, vpon paine to forfait to the partie greeued for euery tree, and for the loppes, toppes, or bark of euery tree xl.s. And it is lawful to the party greeued of whom ſuch trees ſhalbe taken, or to any other for him, to withhold, retaine and keepe to himſelfe, all the loppe, toppe, and barke of ſuch tree or trees, any Commiſſion or other matter whatſoeuer notwithſtanding, 5. El. 8.

Barking of apple trees.

3 ¶ Whoſoeuer ſhall maliciouſly, vnlawfully, and willingly barke any Apple trees, Peare trees, or other fruit trees, of any other perſons, ſhal forfait to the partie greeued treble damages, and to the Queene x.li. for a fine. 37. H. 8. 6.

Baſtardie.

Juſtices of peace ſhal take order for Baſtards.

TWo Juſtices of the peace, whereof one to be of the Quorum, or next vnto the limits where the Pariſh church is, within whi[ch] pariſh any Baſtard begotten and borne out of lawfull Matrimo[ny] ſhalbe borne (vpon examination of the cauſe and circumſtance) ſh[all] and may by their diſcretion, take order, aſwell for the puniſhment [of] the mother, and reputed father of ſuch Baſtard child, as alſo for [the] better reliefe of euery ſuch pariſh in part or in all, and ſhall and ma[y] likewiſe take order for the keeping of euery ſuch Baſtard childe, by charging ſuch mother or reputed father, with the paiment of mon[ey] weekely or other ſuſtentation for the reliefe of ſuch Childe, in ſuch wiſe as they ſhal thinke cõuenient. And if after ẏ ſame order by them ſubſcribed vnder their hands, any the ſaid perſons, that is to ſay, mo[ther] ther or reputed father, vpon notice thereof, ſhal not for their part per-

fourme the ſaid order: Then euery ſuch party ſo making default, in not perfourming the ſaid order, ſhalbe committed to ward to the common Gaole, there to remaine without baile or mainprize, except he, ſhe, or they ſhall put in ſufficient ſuerties to performe the ſayd order, or elſe perſonally to appeare at the next generall Seſſions of the Peace, to be holden in that Countie where ſuch order ſhalbe taken, & alſo to abyde ſuch order, as the ſaid Juſtices of the Peace or the more part of them, then and there ſhall take in that behalfe (if they then and there ſhall take any,) and if at the ſaid Seſſions the ſaid Juſtices ſhall take no order, then to abide & perfourme the order before made, as is aboueſaid. 18. El. 3.

Tryal of baſtardy pleaded againſt one borne beyond the Sea.

2 ¶ If it be alledged againſt any childe inheritable, borne beyond the Sea, without the Queenes legeance, whoſe father & mother (at the time of his birth) were vnder the faith and legeance of the King or Queene of England, and whoſe mother paſſed the Sea by licence of her huſband, in any ſuit by him commenced for any land to him diſcended after the death of his auncеſter, that he is a baſtard, in caſe where the Biſhop ought to take cogniſance of Baſtardy, the Biſhop of the place where the land is demaunded, ſhalbe commaunded to certifie the Queenes Court where the plea dependeth, as it hath bene vſed where baſtardie is alledged againſt them which be borne in England. 25. Ed. 3.

He is a baſtard which is borne before mariage

3 ¶ It is an auncient and approued law in this Realme, that he which is borne before mariage is not legitimat to enioy any inheritance, as he that is borne after mariage. Merton. 20. H. 3. 9.

Proclamatiõs made before the writ to the Biſhop to certifie baſtardy.

4 ¶ In all Courts where any ſuit ſhalbe commenced, wherein Baſtardie ſhalbe pleaded againſt any perſon, partie to the ſame ſuit, and thereupon an Iſſue ioyned, which by the lawe ought to be certified by ẏ Ordinary, ẏ Juſtices or one of thẽ of the ſame Courts before any writ of Certificat ſhal paſſe to the Ordinarie to certifie the iſſue ſo ioyned, ſhall make remembrance vnder their ſeales or ſeale, at the demaundant, tenant, plaintife, or defendants ſuit, reciting the iſſue, & ſhall certifie the ſame to the Chauncelour of England, to the intent that Proclamation may be made in the Chauncerie once euery Moneth by the ſpace of three Moneths, that all perſons which haue any intereſt to obiect againſt him which pretendeth to be mulier, ſhalbe before ẏ Ordinarie to whom the Certificat ſhalbe directed, to alledge, & obiect againſt ẏ partie pretending to be mulier, as the lawes of ẏ Church doe require. And the Chauncelour

celour hauing notice of the ſame remembrance and iſſue ioyned, and being required by one of the foreſaid parties, ſhall cauſe the ſaid Proclamations to be made in forme aforeſaid, and ſhal certifie the ſame into the Court where the ſuite ſhal depend. And the Juſtices of the Court where the ſuite ſhalbe commenced, ſhal make one Proclamation openly in ỹ ſame Court, before any Proclamation made in the Chauncery, & an other after the Chauncellour hath certified, and then the Judge ſhal award the ſaid writ of Certificat to the Ordinary, to certifie of the iſſue ioyned. And if any writ of Certificat be graũted before all the Proclamations in forme aforeſaid be made and certified, the ſaid Certificat, and the Certificat of the Ordinary thereupon made, ſhalbe voide in lawe. 9. H. 6. 11.

Berwicke.

Marchandizes conueied into or out of Scotland, ſhalbe brought from Berwicke.

ALl marchandizes that ſhalbe brought out of Scotland into this Realme, Ireland, or Wales, ſhalbe firſt brought to Berwicke. And none vnder the Queenes obeyſance ſhall buye ſuch marchandizes, before that it be ſolde and cuſtomed there (except at Carliel, and the Portes and Creekes pertaining to the Weſt March.) And alſo none vnder the Queenes obeyſance ſhal carry any marchandize being in England, Ireland or Wales, into Scotlãd, or into the Iſles of the ſame. And none vnder the Queenes allegeance ſhal ſell marchandizes of Englande, Wales or Irelande, to any inhabiting in Scotland, except at Berwicke and Carliel. No marchandize ſhall be ſhipped betweene Tinmouth and Berwicke, but only in the Port of Berwicke. No man ſhal cauſe to be ſold Salmõ taken in Tweed but the burgeſſes, & they ỹ be infranchiſed in Berwicke. And he that offendeth, or doth with any Merchãdize contrary to this ordinance, ſhall forfeite the ſame to the Q. and him that will ſeiſe, or ſue for the ſame by A. of debt, wherein no W. fc. E. fc. 22. Ed. 4. 8.

1 For paiment of Mortuaries in Berwicke & the Marches thereof. S. Mortuaries. 5.

Biſhoppes.

IF the Deane & Chapter of any Cathedrall Church where the ſea of any Archbiſhop or Biſhop is, within any of the Queenes Dominions where the Queens licence vnder the great ſeale is graũted vnto thẽ to proceed for the election of any Archbiſhop or Biſhop of ſea being void, wt a letter miſſiue containing the name of the perſon which they ſhall chuſe, after ſuch licence deliuered vnto thẽ, proceed not to eleccion wtin xii. dayes, & ſignifie the ſame vnder their cõmon

ſeale

ſeale vnto the Q.her heirs or ſucceſſors wᵗin xx.daies next after ſuch licence ſhall come to her hands: Or if any Archbiſhop or biſhop wᵗin any the Queenes dominions,after any ſuch election,nomination,or preſentation,ſhalbe ſignified vnto them by the Queenes letters patents,ſhall refuſe,& do not confirme,inueſt, & conſecrate wᵗ all due circumſtance,euery ſuch perſon ſo elected,nominated or preſented, & to them ſignified within xx. dayes next after the Queenes letters patents,or ſuch ſignification, or preſentation ſhall come to their hands,or els if any of them,or any other perſon,admit,maintaine,allow,obey,do,or execute any cenſures,excõmunications,interdictiõs, inhibicions or any other proces or act to the contrary or let thereof, then euery Dean & particular perſon of the Chapter & euery Archbiſhop and Biſhop and other perſon ſo offending and doing contrary to any part hereof,their aidors,councellors, and abbettors, ſhall runne in the daungers & penalties of the ſtatute of Prouiſion and Premunire made 25.Ed.3.c.16.R.2.25.H.8.20. 1.El.1.

1 For a writ to the Biſhop to certifie Baſtardy. S.Baſtardie.4.Abilitie.2.

2 What aſſurances made by Biſhops &c.of their landes ſhall be good and what not.S,Eccleſiaſt.6.

3 That a Biſhop may viſite euery Hoſpitall within his Dioces.S. Hoſpitals.1.

4 That Biſhops may puniſh Prieſts,Clerkes &c.for incontinẽcie, S.Incontinencie.

Bookes.

If any perſon reſiant or inhabitant within this Realme, ſhall buy to ſell againe,any printed bookes, brought from any partes out of the Queens obeiſance,redy bound in boards,lether,or parchmẽt, he ſhal forf.for euery booke bound out ofthe Queens obeiſance, and brought into this Realme,& bought by any perſon wᵗin the ſame to ſell againe vi.s.viii.d.to the Queene and the partie that will ſeiſe or ſue for ỳ ſame,by A.I.&c.wherein no W.&c.E.or P.&c.25.H.8.15 Bookes brought from beyond ſea bound.

2 ¶ If any perſon inhabitaunt or reſiant within this Realme, ſhal buy within this Realme of any ſtranger borne out of ỳ Queens obeiſance(other then of Denizens)any printed bookes brought frõ any parts beyond the Sea,(except only by engroſſe)and not by retaile,he ſhall forfaite for euery booke ſo bought by retaile vi.s.viii.d. to the Queene and the partie that will ſeiſe or ſue for the ſame by A. I.&c. wherein no W.&c.E.or P.&c.25.H.8.15. Bookes brought from beyonde ſea bought in groſſe.

3 ¶ If

The price of bookes enhaunced.

3 ¶ If any Printers, or Sellers of printed bookes, inhabited within this Realme, doe at any time in such wise enhaunce and increase the prices of any such printed bookes in sale or binding at to high & vnreasonable prices, in such wise, as complaint be made therof to the Q. or vnto the Lord Chancelor, Lord Treasorer, or any of ỹ chiefe Justices of the one Bench or of ỹ other, then the same Lordes &c. or two of any of them shall haue Aucthoritie to enquire therof, as well by the othes of xii. honest and discrete persons, as otherwise by due examinations by their discretions. And after the same enhaunsing, & encreasing of the said prices of the said Bookes & binding, shalbe found so by the said xii. men, or otherwise by examinations of the said Lord Chaũcelor, Lord Treasorer & Justices, or two of them, then the same Lords &c. or two of them at the least, shall haue power to reforme and redresse such enhaunsing of the prices of printed bookes from time to time by their discretions, & to limite prices aswell of the books, as for the bynding of them, and ouer that the offendor or offendors thereof being conuicted by examination of the same Lordes &c. or two of them, or otherwise, shal forfaite for euery booke by thẽ sold whereof the price shalbe enhaunced for the booke or binding thereof, iii. s. iiii. d. to the Q. & partie grieued that wil complaine vpon the same, in maner & fourme aforesaid. 25 H. 8. 15.

Botemen, Watermen, Barges, Botes, &c.

viii. ouerseers of watermen.

THe Maior and Court of Aldermen of the Citie of London, [illegible] their first Court of Aldermen, holden within the said Citie next after the first day of March, shal yeerly appoint and choose viii. persons of the most wise, discreet, & best sort of watermen, being howsholders & occupying as watermen vpon the Riuer of Thamise, betwene Grauesend & Windsor, & the same eight persons so elected shalbe called ỹ ouerseers & rulers of all the whirrymen & watermen, that after the said fyrst day of March, shall vse or exercise any rowing vpon ỹ said Riuer of Thamise, between Grauesend & Windsor, which said ouerseers shall keepe good order & obedience amongest the said watermen, according to the true meaning of this Stat. And

Ouerseers neglecting or refusing their roumth.

if any person elected to be an ouerseer, doe negligently exercise his roumth, or will obstinately refuse to take vpon him the same, then he shall forf. to the Q. & J. v. li. to be recouered by A. J. &c. wherein no W. &c. E. P. J. &c. 2. & 3. P. and H. 16.

Ouerseers shal order the watermen, and register their names.

2 ¶ It is lawful to the saide viii. Rulers for the time being, and their successours from time to time, to call before them at some conuenient

conuenient place by them to be appoynted, al and euery such person and persons which shal vse ẏ saide trade of rowing betwixt Graues-end and Windsor, and shall Register ẏ names of euery of them that shalbe by them allowed or admitted for Watermen to row betwixt Graues end and Windsor, in a Booke made for the same intent, and to take such further order therein with euery of the said parties, as it shall seeme meete by the discretion of the saide ouerseers, and also the saide ouerseers shall and may ouersee, viewe, and survey at all times, all Boates and whiries that shalbe made, before ẏ same be lanched out of the yard or ground, wherin they shalbe made, into the said ryuer of Thamise, to the intent that they and euery of them may be made and prepared in such maner and fourme, and according to the goodnes, proporcion, and quantitie in this act lymitted. And the Maior and Aldermen of London, and the Justices of peace within the shires next adioyning to the ryuer of Thamise, euerie of them within their seuerall iurisdiccions haue auctoritie vpon complaint made to them or any of them, by the saide ouerseers or two of them, or the master of any seruant, not onely to examine, heare & determine all compleints & offences commited by any such person ẏ shal offend contrary to the true meaning of this act, & to set at large euery such person as shalbe imprisoned by the saide ouerseers according to this act, if iust cause shall appeare vnto them so to doe: But also by their discretion to punishe, correct, and reforme the sayde ouerseers and euery of them, that shall vniustly punishe any person by colour of this act &c. 2. & 3. P. & M. 16. S. Iustices of peace. 105.

Ouerseers shal view the bores before they be launched forth.

3 ¶ No persons where two watermen and not aboue two shall rowe together in one Boat, or whirie in any place betwixt Graues-end & Windsor, shall receiue any person into their boate or whirie, to the intent to cary him therein, vnlesse one of the same two watermen, haue bene for the most part exercised in rowing vpon the sayde ryuer of Thamise by the space of two whole yeres before that time. And also that one of the same two watermen at the least, be duly admitted and allowed by the same eyght ouerseers, or the most part of them by writing vnder their knowne seale, to be a sufficient & able waterman, vpon paine that euery person presuming or offending contrary to the true meaning of this act, shall by the said eyght ouerseers be committed to prison in one of the Counters of the citie of London, there to remaine one moneth or lesse as the offence shall require. 2. & 3. P. & M. 16.

Two watermē shall not rowe but where one of them is allowed by the ouerseers.

4 ¶ No person being a single man, not keeping housholde, and not

No single man shalbe a waterman.

not retained, shal vse to rowe betwixt Graueſend and Windſor, vn-leſſe he be prentice, or in ſeruice retained with a maſter by the whole yere at the leaſt, vpon paine of like impriſonment. 2. & 3. P. & M. 16.

The length, bredth and goodnes of botes.

5 ¶ If any perſon ſhall make any whirry, or Boate, to the intent commonly to vſe rowing and carying people vpon the ſaide riuer of Thamiſe, which ſhall not be xxi. foote and a halfe in length, & foure foote and a halfe broad in the midſhippe, or which ſhall not be ſubſtancially & wel able & ſufficient to cary two perſons on one ſide tight, according to the olde quantitie, ſcantling, thickeneſſe of board, goodneſſe and good proportion heretofore had and vſed: Then the ſame boate being made contrary to the proportion and ſorte before expreſſed, ſhall be taken as forfaite, and ſhall be forfaite to the Q. and I. to be recouered by A. I. &c. wherein no wager, &c. E. P. or I. &c. 2. and 3. P. and M. 16.

Watermen which hide themſelues in the tyme of preſting.

6 ¶ If any perſon which ſhall vſe the occupation of rowing betwixt Graueſende and Windſor, which in the time of the execution of any commiſſion of preſting, that ſhalbe had for the ſeruice of the Queene, her heires and ſucceſſours, in their affaires, ſhal willingly and obſtinately hide, or conuey him ſelfe in the ſame time of preſting, into ſecret places, and out corners, and after when ſuch time of preſting is ouerpaſſed, ſhall returne againe to the ſaid riuer of Thamiſe, to rowe betweene Graueſend and Windſor, & that duly proued by two indifferent witneſſes before the Maior of London and court of Aldermen, or Iuſtices of the peace, and two of the ſaid rulers, then he ſo offending ſhall ſuffer impriſonment by the ſpace of two weekes, and be banniſhed any more to rowe from thenceforth vpon the ſaid riuer of Thamiſe by the ſpace of one whole yere and a day then next following. 2. & 3. P. & M. 16.

What fare watermen may take.

7 ¶ Euery perſon aucthorized to rowe betweene Graueſend and Windſor, that ſhall take for his fare or labour aboue the prices aſſeſſed by the Maior and court of Aldermen of London, and viewed, ſigned, and ſubſcribed with two of the Queenes priuie Counſels hands, and written and ſet vp in tables in the Guilde hal, Weſtminſter hall &c. ſhall ſuffer impriſonment one halfe yere, and alſo ſhall forfaite for euery ſuch offence to the Q. & I. xl s. to be recouered by A. I. &c. wherein no W. &c. E. P. or I. &c. for the Mayor and Court of Aldermen of London, ſhall from time to time aſſeſſe the ſummes of money that euery perſon authorized to rowe betweene Graueſend and Windſor, ſhall take for his labour or fare from place to place particularly betwixt Graueſend & Windſor. 2. & 3. P. & M. 16. by the

ſtatute

ſtatute made. 6. H. 8. 7. there was eſtabliſhed a certaine rate & wages that watermen ſhould take for their fare betwixt one place and an other in and nere vnto the Citie of London, but it ſeemeth that the force of that ſtatute is taken away by the foreſaide braunche. Sed Quere. Quere.

8 ¶ No perſon occupying any weſterne Barge, ſhall retaine, take or receiue into his ſeruice, any ſingle perſon not keeping houſe or houſhold, but onely ſuch as ſhalbe retained with him by the whole yere, and no houſholder, but onely ſuch as he will, or ſhall anſwere for his good behauiour, vpō pain of forf. to the Q. & I. xl. s. to be recouered by A. I. &c. wherin no W. &c. E. P. I. &c. 2. & 3. P. & M. 16. It ſeemeth ẏ this branch is repealed by ẏ general words of ẏ ſtat. of 5. El. 4. which repealeth al ſtat. & euery branch of thē which touch or concerne ẏ hyring, keeping, departing, working, wages or order of ſeruants, workmen, artificers, prentices, & laborers &c. Sed Quere. The ſeruantes of weſterne Bargemen. Quere.

9 ¶ No perſon ſhall interrupt by any obſtacle, let or otherwiſe, any perſon or perſons paſſing or repaſſing, on and vpon any of the paths being of a foote and a halfe broad, lying on euery ſide of the Riuer of Seuerne, & time out of minde accuſtomed, nor ſhall aſke, take, or demaund any toll called a draught, or bottell of wine, or any other taxe or impoſition of any of ẏ Queenes ſubiects there going in the ſaid paths accuſtomed, there haling or drawing their botes, troughs, or veſſels, vpon paine to forf. for euery time that he ſhall interrupt any of the Queenes Subiectes, or aſke or take any ſuch impoſition, by what name ſoeuer it be called, xl. s. to the Queene and partie grieued, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 9. H. 6. 5. 23. H. 8. 12. Paſſengers vpon ẏ banck of Seuerne.

10 ¶ Whoſoeuer doth take any impoſitiō of any of ẏ Queenes liege people, for any Trowe, Bote, or other veſſel for any goods or marchandiſes caryed in & vpon the riuer of Seuerne, or doeth here interrupt any Boates, Trowes or veſſels ſo paſſing by the ſayde Riuer, for anye ſuch impoſition, or otherwiſe againſt the Queenes lawes, (Except ſuch which by decree made betwixt xx. Januarii. An. Do. 1503. and the Aſcenſion day, Anno Domini. 1505. by the Kinges Counſell in the Starre Chamber obteined the ſame) ſhall forfaite for euery ſuch offence xx. li. whereof the Queene ſhall haue two partes, and the party that will ſue by popular A. of debt, the third part, wherein no W. &c. E. P. &c. 19. H. 7. 18. Impoſition of Botes vpon Seuerne.

11 ¶ But any perſon hauing lands or medowes adioyning to the ſaid water of Seuerne, may take of euery perſon going vpon his Recompence for hurtes dōe by bargemen.

his landes and meadowes, and drawing any bote, Trowe or vessel, reasonable recompence for such hurtes as he shal sustaine by reason of any such going, or drawing, 19. H. 7. 18 except of such as shall passe or repasse vpon any of the paths of euery side of the saide riuer being of a foote and a halfe broade or thereabouts, and time out of minde accustomed as is aforesaid. 23. H. 8. 12.

Transporting offendors into or forth of Wales at vnlawful times.

12 ¶ If any person taking vpō him to haue & keep any passages vpon the riuer of Seuerne, do carry with any barge, boate, or other vessel, any person or persons with horses, mares, kyne, oxen, or other cattel, or any other person before the Sunne rising in the morning, or after the Sunne being set at the night, ouer any of the said passages out of Englande into Wales, or the forest of Deane, or out of Wales, or the forest of Deane into Englande, vnles the said passenger hath good knowledge of such person and persons and euery of their dwelling places, and vpon request to him made by any person or persons, do disclose the name & dwelling place of euery such person and persons, so by him conueyed ouer the said water to any such person or persons so requiring the same, if suit be made for and after them vpon any outcry, huy, or fresh suit of or for any felonie, robbery, murder, and manslaughter committed, he shalbe imprisoned and also pay a fine. 26. H. 8. 5. S. Iustices of peace. 81.

1 The forfaite of Botemen for carying any Corne &c. to a Shippe to be transported, S. Corne. 2.

Bowes, Bowestaues.

4. Bowstaues brought in for euery Tunne of merchandize.

IF any merchant stranger, or any seruant, atturney or factour of any of them, which will bring, send, or conuey into this realme any merchandize in Caracke, Galley or Ship, from the Citie or countrey of Uenice, or any countrey from the East partes, from the Ireii. haunce townes, or from whence any Bowstaues haue bene heretofore brought, do not bring in the same shippe wherein the merchandizes be, for euery tunne weight of merchandize iiii. Bowstaues, he shall forfaite to the Queene and Informer vi. s. viii. d. for euery default of bringing euery bowstaffe, to be recouered by A. I. &c. wherin no W. &c. E. P. &c. 12. Ed. 4. 2. 13. El. 14.

10. Bowstaues brought in for a Butte of malmesey or Tyre.

2 If any merchant of Uenice, or other, shal bring or conuey into this realme any Malmsy or Tyre, & do not bring with euery But of eyther of them. x. Bowstaues good and able stuffe, he shal forfait xiii. s. iiii. d. to the Q. and. I. &c. for euery But so brought, and not of the said number of Bowestaues with the saide But. And the sayde

bowestaues

bowestaues shall not be solde vngarbled but to such persons as bee borne vnder the Queenes obeysaunce. 1. R. 3. 11. Bowstaues garbled.

3 ¶ If any person vnder the age of xvii. yeeres, do shoote in any bow of Ewe bought for him, he shal forf. vi. s. viii. d. (except his father or mother haue lands or tenements to the yeerely value of. x. li. or be worth in moueables the summe of xl. markes). 33. H. 8. 9. Who may shoot in Bowes of Ewe.

4 ¶ If any Bowier dwelling within the Citie or suburbes of London or Westminster, or the Borough of Southwarke, wanteth by the space of twentie dayes, fiftie good and able Bowes of Elme, Witchasel, or Alhe readie made, and meete to be sold & vsed, he shall for euery Bowe so wanting of the foresaid number forfaite x. s. to the Queene and Informer &c. being an Armorer, Fletcher, or Bowstringmaker, to be recouered by A. I. &c. wherein no P. W. &c. 8. El. 10. And euery Bowier dwelling elsewhere, which doth not for euery Bowe which he maketh of Ewe, make foure other Bowes of some other wood apt for shooting, shall forfaite for euery Bowe so wanting to the Queene and Informer &c. iii. s. iiii. d. 33. Hen. 8. 9. 8. Eliz. 10. Bowes of Elme, Alhe, witchasell.

5 ¶ If any Bowyer do sell any bowe meete for mens shooting being of outlandish Ewe, and of the best sort, aboue the price of vi. s. viii. d. of the second sort aboue iii. s. iiii. d. of the course sort called liuerie Bowes aboue ii. s. of English Ewe aboue ii. s. a piece, he shall forfaite for euery bowe so solde aboue the price aforesaid xl. s. to the Q. and I. &c. being an Armorer, Fletcher, or Bowstringmaker, to be recouered by A. I. &c. wherein no W. P. &c. 8. El. 10. 14. El. 11. to cõtinue in force vntil ỳ end of ỳ next Parliament. S. Archerie. The prices of Bowes.

1 That Bowstaues brought into this Realme, shalbe searched and marked. S. Corporations. 27.

Brasse, Latten, Copper, and Bell mettall.

NO persons shall carry or conuey, or shippe to the intent to carrie or conuey any Brasse, Copper, Latten, Bell mettall, Panne metal, Gunne mettal, or Shroffe mettal whether it be cleare or mixed (Tinne & Lead only excepted) into any part beyond the sea, or into any outward dominiõ, vpon paine to forf. ỳ double value thereof, & xl. s. for euery thousand weight of the same mettall so caried, or shipped to the intent to be caried, to the Q. and I. to be recouered by A. I. &c. wherein no W. &c. C. P. &c. 2. Ed. 6. 37. No Brasse, latten &c. shalbe transported.

2 ¶ The arriuall, discharge, and deliuerie of the said mettalles in any forreine dominion shalbe tried, and determined within this Realme in such Countie or place, where ỳ said mettalles were shipped or Trial of a forraine act within this Realme.

ped or first caried, with like proces, and determination, as all other informations or accions be tried and adiudged within this Realme, or as the same fact had bene done within this Realme. 33. Hen. 8. 7. 2. Ed. 6. 37.

The shall be bound which carieth mettalles to discharge ỳ same within this Realme.

3 ¶ No person shall ship, or carry any of the saide mettalles prohibited by this statute, to carrie or discharge the same in any part of this Realme, vnlesse before the shipping thereof he do declare to the Customer of such port or creeke, where the same mettal shalbe shipped, the true weight of all such mettall as shalbe shipped, and shall also before the shipping thereof, make a sufficient obligation in the lawe, in which he shalbe bound to the said Customer to ỳ Queenes vse, in such summe as shal amount to the double value, & x. li. for euery thousand weight so declared, with condition that the same mettalles shalbe discharged at some port or creeke within this Realme, and in no other place vpon paine to forfaite ỳ same. And euery such person that shall shippe such mettalles, and shalbe bound as is aforesaid, shall within eight moneths next after the shipping thereof, bring a true certificat from ỳ Customer of the port, creeke or place, where he shall discharge the same, testifiyng that the same mettall so shipped & the true weight thereof is there discharged, which certificat the Customer of such place where the said mettall shalbe discharged, shall vpon discharge thereof make and deliuer to the partie so discharging, or to his factor without any delay. And if the Customer or his deputie do make a false certificat concerning the discharging of such mettall, then he shall lose his office, and the value of the goodes concealed out of the saide certificat. And if any Customer, Comptroller, or his deputie by any vndue meane will suffer any person, after the mettall is shipped or caried contrary to the meaning of this acte, to make an obligation without date for ỳ discharge and certificat of his mettall, then such Customer so suffring or receiuing such obligation, shal lose his office, and the value of the mettall so shipped or carried. And if any Maister, Owner, Purser, or Boteswaine of any shippe doe willingly permit any of the mettalles aboue said to be shipped contrary to the tenour of this act, or else perceiuing any such mettal to be shipped, do not disclose the same within three dayes after knowledge had, to the Customer or Comptroller of the same port, or his deputie where the same is shipped, then he shall forfaite the double value of the same mettall, to the Q. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 33. H. 8. 7. 2. Ed. 6. 37. S. Custome &c. 19.

Customer of the port.

Maister of the ship which carieth the wasse.

4 ¶ If

4 ¶ If ỳ said mettall by tempest of weather be drowned, or by enemies or Pirates robbed and spoiled, & that sufficiently proued without fraud before ỳ Customer & Comptroller or their sufficient deputies in ỳ port where ỳ party so shipped ỳ mettals aforesaid or any of thē, by ỳ said party or his executors, then he bringing such sufficient proofe, shall haue his obligation to him deliuered, or else he and his executors thereof shalbe clerely discharged. 33.H.8.7.2.E.6.37.

If the mettall be drowned or robbed by pyrates.

5 ¶ No person shall lade, shippe, or carrie into any part beyonde the Sea, any of the mettalles aforesaid, but onely out of such port or creeke where the Customer or his deputie is resident and dwelling, vpon paine of forfaiture the said mettall and x.li. for euery thousand weight so shipped or carried to the Q. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 33.H.8.7.2.Ed.6.37.

No metal shalbe laden but where there is a Customer.

1 Where vessell of Brasse shalbe sold, of what goodnesse it shalbe, and what waightes shalbe thereof vsed. S. Pewter. 1,2,4.

Bridges.

A remedie where it is not knowen who ought to repaire Bridges decayed.

WHere it cannot be knowen and proued what hundred, Ryding, Wapentake, Citie, Borough, Towne or Parish, nor what persō certeine, or body politique, ought of right to make Bridges decayed, in euery such case the said Bridges (if they be without citie or towne corporate) shalbe made by the inhabitants of ỳ Shire or Riding within the which the saide Bridge decayed shalbe, and if it be within any Citie, or Towne corporat, then by the inhabitants of euery such Citie or Towne corporat. And if part of any such Bridges be in one Shire, Riding, Citie, or Towne corporat, & the other part thereof in an other Shire, Riding, Citie, or Towne corporat, or if part be within ỳ limits of any Citie or Towne corporat, & part without, or part within one Riding, & part within an other, then ỳ inhabitants of ỳ Shires, Ridings, Cities, or townes corporat shalbe charged to make and repaire such part of such Bridges so decaied, as shall lie & be thin ỳ limits of ỳ Shire, Riding, Citie, or towne corporat, wherein they be inhabited at ỳ time of ỳ same decaies. 22.H.8.5.

The inhabitants of the shire taxed for the amendment of decayed Bridges.

2 ¶ In euery such case where it cannot be knowen and proued what persons lands, tenements, and bodies politique, owen to make and repaire such Bridges, the Justices of peace within ỳ Shires or Ridings wherein such decayed Bridges be, out of Cities & Townes corporat, and if it be within Cities or Townes corporat, then ỳ Justices of peace within euery such Citie or Towne corporat, or iiii. of the said Justices at ỳ least, whereof one to be of ỳ Quorū, haue power within ỳ limits of their seuerall commissions, to call before them the

Constables of euery Towne and Parish within the Shire, Riding, Citie, or Towne corporate, aswell within Liberties as without, wherein such Bridges or any parcell thereof shall happen to be, or else two of the most honest inhabitants within euery such Towne or Parish &c. by the discretion of the said Justices &c. and vpon the apparance of such Constables or inhabitants, the saide Justices or foure of them, whereof one to be of the Quorum, with the assent of the said Constables or inhabitants, haue power to taxe, and set euery inhabitant in any such Citie, Towne, or Parish within the limittes of their commissions, to such reasonable ayde and summe of money as they shall thinke sufficient for the reedifyng & amending of such Bridges, and after such taxation made, the said Justices shall cause the names and summes of euery particular person so by them taxed, to be written in a roule Indented. 22.H.8.5.

Collectors of euery hundred.

3 ¶ And the Justices of peace haue power to make two Collectors of euery Hundred, for collection of all such summes of money by them taxed, which Collectors receiuing the one part of the said roule Indented vnder the seales of the said Justices, shall haue power to collect all the particular summes of money therein contained, and to distraine euery such inhabitant, (as shalbe taxed and refuse paiment thereof) in his landes, goodes, and cattels, and to sell such distresse, and of the sale thereof retaine, and receiue all the money taxed, and the residue (if the distresse be better) to deliuer to the owner thereof. 22.H.8.5.

Surueiors which shal see the Bridge repaired.

4 ¶ And the same Justices or foure of them, within the limits of their commissions, haue power to appoint two surueiors, which shall see euery such decayed Bridge repaired from time to time as often as neede shall require, to whose hands the said Collectors shall pay the said summes of money taxed and by them receiued, and euery of the collectors & surueiors, their executors and administrators, &c. from time to time shall make a true declaration and accompt to the Justices of peace of the Shire, Riding, Citie, or Towne corporate wherein &c. or to foure of the same Justices, whereof one to be of the Quorum, of the receiptes, paiments and expences of the saide summes of money. And if they or any of them, refuse that to do, then the same Justices of peace or foure of them, haue power to make proces against ꝑ said Collectors, Surueiors &c. and euery of them, by attachements vnder their seales, returnable at the generall sessions of the peace, & if they appeare, then to compell them to accõpt as is aforesaid, or else if any of them refuse that to doe, then to commit him

Collectors & surueiours accompt.

mit him to warde, there to remaine without baile or mainprise, till the said declaration and accompt be truely made. And the Justices of peace, or foure of them, haue power to allowe such reasonable costes and charges to the said Surueiors, and Collectors, as by their discretion shall be thought conuenient. 22. Hen. 8. 5.

Proces against the parties in an other shire which should repayre the bridges.

5 ¶ And where any Bridge or Bridges lie in one Shire or Riding, and such persons inhabitants, bodies politique, landes or tenements which ought to be charged to the making & amending thereof, lie and abide in any other Shire or Riding, or where such Bridges bene within any Citie or Towne corporate, & the persons inhabitants, bodies politique, lands or tenements that owen to make or repaire any such Bridges, lye and be out of the saide Cities or Townes corporat: In euery such case the Justices of peace of the Shire, Citie, or Towne corporat, within the which such decayed Bridges or any part thereof shalbe, haue power to enquire, heare, and determine all such anoyances being within the limits of their commissions. And if the anoyance be presented, then to make proces into euery Shire within this Realme, against such as owen to make, or amend any such Bridges, so presented before them to be declared to the anoyance and let of the passage of ẏ Queenes subiects: And to doe further in euery behalfe in euery such case as they might doe by authoritie of this act, in case that the persons lands &c. which owen to be charged to the amending or making of such Bridges, or any part thereof were in the same Shire, Riding, Citie, or Towne corporat, where such anoyance shall happen to be. 22. H. 8. 5.

Fiue Portes.

6 ¶ This acte shall not be preiudiciall to the liberties of ẏ fiue portes, or members of ẏ same, for reformation of anoiances of Bridges within the said portes and members, But the Warden, Maiors, and Bailifes elected, and Jurates of the same portes, and euery of them, haue power to enquire, heare, & determine all maner of common anoyances of Bridges within the same portes and members, and to make such proces, paines, taxations, & all other things within the same portes and members, as the Justices of peace may do in other Shires or places out of the same Portes, by vertue of this act, in euery behalf. 22. H. 8. 5.

Bridges decayed & the High way thereunto next adioyning.

7 ¶ Justices of peace, or iiii. of them at the least, whereof one to be of ẏ Quorum, haue power to enquire, heare & determine in their generall Sessions, of al anoyances of Brydges broken in the hygh waies, and of all anoyances of high wayes which lye next adioyning to the endes of Bridges, and CCC foote from the same distant, and

to make proces and paines against such as ought to be charged &c. And to doe in euery thing, concerning the making, repairing, and amending of euery such high way, in as large maner as they may do, for the making, repairing, and amending of Bridges by this acte. 22.H.8.5.S. Iustices of peace.70.

Bruer.

No Bruer shal be a Cowper.

IF any Bruer, which brueth Beere or Ale to sell, shal by himself, or other to his vse, occupie ỹ mysterie of Cowpers, or make Barels, Kilderkins, Firkins, or other vessels of wood, by himselfe or any of his own seruãts, wherein to put his Beere or Ale to sale, he shal forf. for euery vessell made contrary to the tenor of this acte iii.s. iiii.d. to the Q. & I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. But a Beere bruer or an Ale bruer may keepe in his seruice a Cowper, to binde, hoope, pinne, and amend his vessels. 23.H.8.4.

The prices of Ale and Beere.

2 ¶ If an Ale or Beere bruer do sell or take for any barrel, kilderkin, or firkin of Ale or Beere aboue such prices and rates as shal be assessed by the Iustices of peace in the Shire, or by the Maior, Sherife, or head officer of the Citie, Borough or Towne corporat, where the saide Ale or Beere bruer doth dwell, he shall forfaite for euery barrell so sold vi.s. for euery kilderkin iii.s. iiii.d. for euery firkin ii.s. for euery lesse vessell xii.d. and for a greater then a barrel x.s. to the Q. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 23.H.8.4. S. Iustices of peace.78. Corporations.12.

Burning.

Burning of an other mans goods or woods.

WHosoeuer doth malitiously, willingly, & vnlawfully burn or cause to be burned, any Waine, or Cart laden with an other mans goodes, or any heape of wood of any other persons prepared and felled for making of Coales, Billets, or Tall wood, shall forfaite to the partie grieued treble damages, to be recouered by action of trespas, and to the Q. x.li. for a fine. 37.H.8.6.

Butcher.

A Butcher shal not buy cattel and sell them aliue.

IF any person being a Butcher, and vsing ỹ mysterie of Butcherie, shall buy any fatte Oxen, Steeres, Ronts, Kine, Haycfors, Calues, or Sheepe, and sell, or cause to be solde the same againe aliue, he shall forfaite to the Q. and I. the same Oxen, Steeres, &c. bargained or sold, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. But euery person being a Butcher, and vsing the mysterie of Butchery, shal and may at his pleasure buy any fat Oxen, Steeres, Rontes, Kine, Haycfors, Calues, & Sheepe, or any of them out of any open faire or market, so ỹ he sell not nor cause ỹ same to be solde

againe on liue.3.Ed.6.19.14.El.11. to continue to the ende of the next parliament.

2 ¶ If any Butcher or other perſō, inhabiting wīn this realme, Wales, or ꝑ Marches of the ſame, doe kill or cauſe to be killed any yong ſucking Calfe to be ſold, or put to ſale to any perſon whole or by retaile, which ſhalbe calued betwixt ꝑ firſt day of January, & the firſt of May, he ſhal forfait for euery Calfe ſo calued, killed, & put to ſale vi.s.viii.d. to the Q. & I. to be recouered by A. I. &c. wherein no Wl. &c. E. P. &c. 24. H. 8. 7. 14. El. 11. to endure vntill the end of the next parliament. Calues kallen betweene January & May.

3 ¶ If any Butcher or other perſon inhabiting within this Realme, Wales, or the Marches of ꝑ ſame do kil, or cauſe to be killed any wainling Bullocke, Steere, or Heifor, being vnder the age of two yeeres, to the intent to ſell the ſame whole or by retaile, he ſhall forfait to the Q. and I. for euery ſuch wainling killed, and put to ſale vi.s.viii.d. to be recouered by A. I. &c. wherein no Wl. &c. E. P. &c. 24. H. 8. 9. 14. El. 11. to endure to ꝑ end of ꝑ next parliament. Butchers ſhall kil no wainlings.

4 ¶ If any Butcher or other perſon ſhal kill any Calfe to ſell, being vnder v. weekes olde, he ſhal forfaite for eucry Calfe ſo killed, vi.s.viii.d. 5. El. 8. Butchers ſhall kill no Calues vnder fiue weekes olde.

5 ¶ If any perſon occupying the craft of a Butcher, doe vſe by himſelfe or any other, the occupation of a Tanner, he ſhall forfaite for euery day that he ſhall vſe ꝑ feat of a Tanner, vi.s.viii.d. 5. El. 8. No Butcher ſhalbe a Tanner.

6 ¶ No Butcher or his ſeruant ſhall kill any beaſt within the ſcalding houſe in London, or within the wall of London, vpon paine to forfaite for eucry Oxe, xii.d. & for euery Cowe & other beaſt viii.d. to the Q. and him that will ſue by A. of debt, where no E. P. &c. And this act extendeth & ſhall be obſerued in euery Citie, Borough, and Towne walled within England, and in the Towne of Cambridge, (the Townes of Berwick and Carliel excepted) 4. H. 7. 3. Butchers ſhall not kill cattell within any walled towne.

7 ¶ A Butcher ꝑ ſelleth ſwines fleſh meſled, or fleſh dead of the morien, (after he ſhalbe conuicted thereof) for the firſt time he ſhalbe grieuouſly amerced, ꝑ ſecond time he ſhalbe iudged to ꝑ Pillory, the third time he ſhalbe impriſoned & make fine, and the fourth time he ſhal forſweare ꝑ towne. And in this maner ſhall it be done of all that offend in like caſe, as of Cookes ꝑ ſeethe fleſh or fiſh any waies ꝑ is not hollō for mēs body, or after ꝑ they haue kept it ſo long, ꝑ it loſeth the natural holſomnes, then ſeethe it againe & ſel it. 51. H. 3. 51. E. 1. A Butcher ſhal not ſell meſled or morreine fleſhe. Cookes.

1 That Butchers ſhall not gaſh any hides. S. Leather. 1.

2 That Butchers ſhal not conſpire to ſell their vitales at certaine prices. S. Artificers. 1.

Butter & cheese bought to be solde againe.

IF any person doe buye to sell againe, any Butter or Cheese, vnlesse he sel the same again in open shoppe, faire, or market, and not in grosse, but by retaile, (that is to say a wey of Cheese, or a barrell of Butter or lesse quantitie and not aboue, sold at one time) or except he be an Inholder, or vitailer, which vttereth the same Butter or Cheese by retaile in his house, he shall forfait to the Queene, and Informer double the value of ỹ Butter & Cheese so solde, to be recouered &c. wherein no 2W. &c. E.P. &c. 3. Ed. 6. 21. 14. El. 11. to endure to the ende of the next parliament.

1 That no Butter or Cheese shalbe transported to any forraine region without the Queenes licence. S. Corne. 1.

2 For the weight of a wey of Cheese. S. Weightes. 6.

Buttes.

THe inhabitants in euery Citie, towne and place, are compellable to make and continue Buttes, vpon paine to forfait for euerie iii. moneths so lacking, xx.s. And the said inhabitants shal exercise themselues with long Bowes in shooting at the same, and elsewhere, in holy daies and other times conuenient. 33. H. 8. 9.

Captaines, Souldiours, Musters.

Souldior making away his horse or harneis.

IF any Souldior seruing the Queen in her warres, in any her dominions or on the sea, beyond the sea, or in Scotland, do sell, giue away, or wilfully purloyne, or otherwise exchange, alter or put away any Horse, Gelding or Mare, or any harnesse wherewith he shall set foorth, then he (vpon due proofe, or testimony to be taken before the Lieutenant, high Admirall, ỹ Queenes Deputie, vice Admirall, Warden or Captaine, & in their absẽce before any of their deputies) shalbe imprisoned by ỹ same Lieutenant, or any other before named, there to remaine without baile or mainprise, vntil he hath satisfied to the owner of ỹ Horse, Gelding, Mare or harneis, so by him sold, purloined, exchanged &c. (And also ỹ said sale made by such souldior to any person knowing him to be a souldior, shalbe voide against him that set forth the said Horse, harneis, and weapon. 4. & 5. P. & M. 2.) And if such souldior so offending, fortune to escape from the Lieutenant, and other the foresaid persons, without the punishment and restitution aforesaid, then the same souldior vpon complaint made by the partie grieued, or his executors or administrators, vpon due proofe thereof to be made, to any Justice or Justices of peace in the parties where such souldior shalbe founde, shalbe by such Justice &c. committed to warde, there to remaine without bayle or

mainprise,

mainprise, vntill he hath satisfied the party greeued, his executors, or administrators, of, or for such horses, geldings, mares and harneis so by him wilfully lost, exchanged &c. 2. Ed. 6. 2. S. Iustice of peace. 84.

If the horse or armour be lost in seruice or appointed to an other.

2 ¶ But if the sayd souldiour bring any sufficient warrant or testimony before the said Iustice, from the said Lieutenãt or any of the persons aboue named, in writing vnder the seale of any of them, testifying that the same horse or harneis were lost in ỳ Queenes seruice, against the wil of the said souldior, or that the same horse or harneis were taken by ỳ same Lieutenant, or any of the others before named from the same souldiour for any reasonable respect, & appointed to some other to serue in the place of the said souldiour, then euery such souldiour not bringing to the owner the said horse, & harneis, shalbe discharged therof against the said owner, & thẽ euery such souldiour, to whom the sayd horse or harneis shalbe appointed as is aforesayd, (not bringing home to the owner the sayd horse and harneis after he shalbe discharged) shal suffer like payne as is aforesayd. 2. Ed. 6. 2.

A souldiour or gunner departing from his captaine without licence.

3 ¶ If any souldiour, man of armes, or archer which hath taken parcell of his wages of his Captaine, hath mustered, and is entred of record the Queenes Souldiour, (or any mariner or gunner taking prest or wages, to serue the Queene, her heires or successours on the sea, 5. El. 5.) doeth not passe the sea, or go with his Captaine (except notorious sicknes, or impediment by Gods visitation doth stay him, which he shal immediatly certifie to his Captaine, and repay his money) or else beyng in the enemies countrey in garrison, or else where in the Queenes seruice where hee is appointed to serue, doeth depart without licence of the Queenes Lieutenant, deputie, high Admirall, vice Admirall, warden, Captaine, or in their absence of their deputies, then he shalbe taken, iudged and executed as a Felon. 18. H. 6. 19. 2. E. 6. 2. 4. & 5. P. & M. 3. Where the souldiour attainted shal lose the benefite of his Clergie. S. Clergie. 9. And where his sanctuarie. S. Sanctuarie. 22.

A captaine licencing a souldiour to depart

4 ¶ If any Captaine appointed to haue the order of any nomber of Souldiours, vnder any other higher officer, doe for any cause licence any souldiour in his retinue, to depart from the fielde, or fortresse where they shalbe appointed to serue, without the speciall assent and licence in writing of the Lieutenant, Deputy, hygh Admirall, vice Admirall, Warden, Captaine, or in their absence of their deputies, he shall forfayte to the Queene for euery such Souldiour so licenced to depart, xx. li. to be leuyed of his goods and cattelles, and if any Captaine do giue to any of his souldiours, appointed to

seruе

serue vnder him, in any towne or fortresse kept with garison of souldiour, any licence or pasports to depart from his seruice, but onely the Lieutenant or others before named, the captaine and souldiour so offending, shall be imprisoned at the discretion of the sayd Lieutenant or others &c. 2. Ed. 6. 2.

A Captaine doth discharge one appointed to serue the Queene.

5 ¶ If any commissioner or captaine to whom the Queene shall direct her cõmandement by commission, or letters, for the leuying or setting forth of any men to serue in her warres, shal for any reward or lucre, discharge any person by him appointed to serue the Queen as Captaine, souldiour, or Pioner of his seruice so appointed, and do assigne any other person in his steade, for any lucre or gaine, thẽ he so offending shal forfaite to the Q. for euery such default, of euery man so discharged xx. li. to be leuied of his goods and Cattels. 2. Ed. 6. 2.

A captaine demanding more wages then there is cause.

6 ¶ If any Lieutenant, deputie, Admiral, warden, Captaine, &c. hauing the order of any nomber of souldiors seruing vpon the sea, or land, do demand, receiue, or take of the Queene or any of her treasorers, any wages for any more souldiours, then serued in such manner & forme, as the wages was payed for, or for any more dayes thẽ such Souldiours serued, & do not note the day of euery souldiours entry into wages, & day of his death, and departure, & deliuer the same to such Treasorers as shall pay the sayde wages, euery moneth in writing, so as the trueth of the nomber of the souldiors may appeare to the Queens Treasorer, & master of the Musters, for the time being. Then euery such Lieutenãt, Deputie, Admiral &c. so offending shall forfait to the Queene for euery such default, v. li. & be imprisoned by the space of a moneth, and lose his office & roumth. But no Lieutenant, or other person afore sayd shalbe charged or preiudiced for any of his nomber retained, for, or concerning any souldiour which shall happen to dye during his seruice, or to be sicke by the visitation of God, or that shal depart against the will of his Lieutenant or &c. vnlesse it shalbe in default of any of them. 2. Ed. 6. 2.

Retaining of wages.

7 ¶ This statute is not preiudicial to the Lieutenãt, or any other the said persons, or any other, nor any of them, hauing vnder them continue of souldiors for not paying the Queens wages to their household seruants, and others to whome they shall dayly finde and giue meate and drinke, during the sayd seruice of warre, or for detayning any part of any of the souldiours wages, toward, or for the payment of vitailes, harneis, weapons, or for any prest money promised and deliuered to any such souldiour. 2. Ed. 6. 2.

Causes to retaine the souldiours wages.

8 ¶ It is lawful to euery Lieutenant, Deputie, Admirall, &c. to

retaine

retaine in his owne hands to his owne vse, of the wages of his souldiors, these summes folowing, that is to say vi.s.viii.d. for the liuery, or coat of euery yeoman souldiour, xiii.s.iiii. for the liuery or coate of euery gentleman souldiour for a whole yere. 2. Ed. 6. 2.

9 ¶ This statute doth not charge any person for the receiuing of any gift or reward of any of his tenants or friends, towards the aide, helpe, or relefe of the same person, being commanded by ỳ Queen to serue in warres, or otherwise to finde men on horsebacke or on foote, aswell within this realme as without, nor for the gift, reward, ayde or helpe reserued, or couenãt to be payed or giuen to any person appointed to serue in warres, or to find horse or men to serue, by reason of any graunt, couenãt, reseruation, custome or tenure. 2. Ed. 6. 2. But no person shal by colour herof exact, demaund, or leuy any sume of money, horse, armour or other thing, other then shalbe imployed forthwith in the present seruice of those warres of the Queenes, for which it was leuyed, the which summe of money, horse, armour or other thing, or asmuch thereof as shall not be spent, lost or consumed in the said seruice, shalbe restored to such person as payed and deliuered the same, vpon the penalties and forfaitures aforesaid, 4. & 5. P. & M. 3. Quere, what these forfaitures be. Relefe of friends or tenants towarde seruice in war. Quere.

10 ¶ If a Lieutenant of an army doeth not in euery fielde vnder his charge, proclaime the whole effect and contents of this acte euery moneth, & euery of the Queenes Deputies & Captaines of any fortresse, proclaime it within his charge once euery quarter of a yere, he so offending, shal forfaite x.li. 2. E. 6. 2. Proclamation of this Act.

11 ¶ Euery person giuing to the Lieutenãt, or the others aboue named, true information of any offence aboue remembred, shall haue for his labour one moneths wages of him that shalbe found faultie, to be payed by the hand of the Treasorer, vpon warrant of the Lieutenant or &c. 2. Ed. 6. 2. 4. & 5. P. & M. 3. The reward of the Informer.

12 ¶ If any person which shalbe commanded, generally or specially, to muster before any such as shal haue auctoritie or cõmandement for the same by or from the Queene, her heires or successors, or by any Lieutenãt, warden or other person, auctorized for ỳ same, doeth willingly absent him selfe frõ the same muster, hauing no true and reasonable excuse of sickenesse or other lawfull impediment, or at his apparance at such musters doeth not bring with him such his best furniture, aray and Armour, as he shal then haue, for his owne person in a readinesse, he shall for euery such offence suffer x. dayes imprisonment without bayle or mainprise, by the commaundement Absenting frõ the musters or not bringing his best furniture.

ment of such as shal haue auctho̅itie to take the same musters, vnles he doe agree with the sayd Commissioners, o̅r two of them to pay to the vse of the Queene &c. for euery such offence xl.s. for a fine, which fine after the agreement for the payment of the same, shalbe certified and estreated into the Eschequer, by such as haue power to take the sayd musters, o̅r two of them vnder their seales, within two moneths next after such agreement, and then shalbe leuied as fines assessed by Iustices of Assise o̅r gaole deliuerie in their circuites are vsed to be. 4. & 5. P. & M. 3.

Dwellers in Cities shalbe mustered onely within p̄ same.

13 ¶ No person inhabiting within any citie, borough, o̅r towne corporat, being a countie of it self, o̅r in which any Iustices of peace be, o̅r hereafter shalbe by charter, shalbe cōpellable by vertue of this Act, to make his apparance with such furniture as is afore said, at any muster to be had o̅r taken out of the suburbes, precinct o̅r liberties of the same citie, borough o̅r towne, nor before any person o̅r persons auctho̅rized by commission o̅r otherwise as is afore sayde, vnlesse the Maio̅r o̅r other head officer of such citie, borough o̅r towne, and one other discrete inhabitant of the same at the least, be ioyned in the same commission o̅r other auctho̅ritie with the same person o̅r persons so auctho̅rised. 4. & 5. P. & M. 3.

Muster maisters taking reward to discharge others.

14 ¶ If any person which shalbe commāded by the Queene, her heires, o̅r successo̅rs, by Commission, letters o̅r otherwise, auctho̅rised to leuy muster, o̅r make any men to serue in her warres, o̅r otherwise for the defence of this Realme, doe by any meane exact, leuy, receiue, o̅r take, o̅r cause to be take any money, o̅r other reward o̅r thing whatsoeuer of any person for seruice in the warres, o̅r that shalbe appointed, named, o̅r mustered to serue in any such seruice, o̅r for the sparing, o̅r discharging of such person from the sayd seruice, then he shal forfait x. times so much as he shal receiue, exact o̅r take, to the Q. & I. to be recouered by A. I. &c. wherin no W. &c. E. P. &c. But this act doth not take away o̅r discharge any tenant o̅r Farmer of his seruice o̅r couenant towards his lorde, for the finding of horse, armour o̅r weapon, o̅r for doing of seruice by himselfe, o̅r by any other (which by the tenure of his land otherwise he is bound to do) but he shal doe, yeeld, and pay the same &c. as before he should. 4. & 5. P. & M. 3.

A Captaine doth licēce his souldiours to depart o̅r doth not pay his wages.

15 ¶ If any Captaine, petie Captaine, o̅r other hauing charge of men, for seruice in warre, shall for any aduantage o̅r gayne by him to be receyued, discharge o̅r licence any of the men o̅r souldiours (appoynted to serue in the warre vnder his rule, o̅r order) to depart from the same seruice, o̅r shal not pay vnto his souldiours & to euery

of

of them their full and whole wages, conduite, and coat money, within x. dayes next after he shall haue receyued the same; then the partie offending in giuing such licence or discharge, shal forfaite for euery such offence, x. times the value of the thing so receyued to the Queen and L. to be recouered by A. I. &c. wherein no Ll. &c. E. or P. &c. and shall also pay to euery such Souldiour from whome he shal withholde any such conduite or coate money, treble the summe so withholden. 4. & 5. P. & M. 3.

16 If any offence touching Captaines, Pety Captaines or other hauing charge of men, shalbe committed during the tyme that any army or nomber of men, beyng vnder a Lieutenant, shall be assembled and continue together, or by any Captaine &c. that shall serue any Lord, warden, or other chiefetayne, then vpon complaynt thereof, the Lord, Lieutenant, warden, or other chiefetaine, during the tyme of his Commission, shall & may heare, order and determine the same offences by his or their discretiõs. And if any Captaine, pety Captaine &c. shall be once conuicted or ordered by vertue of this Act for any offence aforesayd, he shal not be eftsones vexed, troubled, sued or conuicted for the same offence. 4. & 5. P. & M. 3.

By whome offences shalbe reformed.

An offence but once punished.

Castels, Fortresses.

IF any person doe within this Realme, or else where, vnlawfully & of his owne auctoritie, imagine, conspire, practise or deuise, by any practise or meanes, with force or by crafte, deuise or sleyght, maliciously and rebelliously to take or keepe from the Queene any of her Castels, Towers, Fortresses, or holdes or maliciously & rebelliously to race, burne, or destroy any Castel, Bulwarke or Forte, or any parte of them, hauing any munition or ordinaunce of the Queenes therein, or appointed to be garded with any Souldiers for defence thereof, within any of the Queens dominions, or the marches of the same: And the same compasses, practises, or deuises, or any of them, shal and do aduisedly, by any expresse words, speach, act, deed, or writing, expresse, vtter, or declare, for any of the malicious and rebellious intents aforesayde, Then he thereof beyng conuicted, shall be adiudged a Felon, and so shal his Ayders, counsailers, comforters, consentors, & abettors knowing thereof 14. El. 1. That the offender herein shall not haue his Clergy. S. Clergie. 2. That he shall not haue his sanctuary. S. Sanctuarie. 17.

Conspiring to take or destroy any of the Queenes Castels or fortes.

2 If any person do with force, maliciously and rebelliously detaine, keepe or withhold from the Queene any of her Castels, Towers,

Withholding the Queenes Castels or shippes.

ers, fortreſſes or holdes, within any her dominiõs, or marches of the ſame, or any of her ſhips ordinance, artillerie, or other munitions or fortifications of warres, and do not render & giue vp the ſame to her maieſtie, or to ſuch perſon as ſhe ſhall appoynt to receiue the ſame to her vſe, within ſixe dayes next after he ſo offending ſhalbe cõmanded by the Queenes proclamations vnder the great ſeale of England to be made in any place or market towne within the county where any ſuch offence ſhalbe committed, Or ſhal wilfully, maliciouſly and rebelliouſly burne, or deſtroy, or cauſe to be burned or deſtroyed, any of the Queenes ſhips, or maliciouſly & rebelliouſly barre or cauſe to be barred any hauen within her Graces dominions, Then he beyng thereof lawfully conuicted, according to the lawes of this Realme, ſhalbe adiudged a Traitor, and ſo ſhal his ayders, coũſailors and abbettors, and their offences in any of the premiſſes ſhall be adiudged high Treaſon. 14. El. 1. to endure during the Queenes life.

Caſtel ward. 3 ¶ No Conſtable ſhal diſtraine any man to giue any money for the keeping of a Caſtel, if he wil do it himſelfe, or procure any ſufficient man for him. And if the Queene do carie him with her, or ſend him vnto her warres, he ſhall be free from Caſtel warde during the tyme that he is in the Queenes hoaſt, for that fee for the which he did Knights ſeruice in the armie. Magna Charta. 9. H. 3. 20.

1 What purueiance, & in what maner ſhal be made to vittaile Caſtel. S. purueiours. 6.

Cattell.

Buying of cattel and ſelling within fiue weekes. IF any perſon do buy any Oxen, Rontes, Steeres, Kine, Heicfers, Calues, ſheepe, Lambes, Goates or Kidds, lyuing, & ſell the ſame againe alyue, (except he keepe and feede the ſame by the ſpace of fiue weekes in his owne houſe, ground, farme, or in ſuch ground where he hath the herbage or common of paſture by grant or preſcription) he ſhal forfaite the double value of the Cattell or things ſo bought & ſould againe, to the Q. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 14. 13. El. 25.

No cattel ſhall be bought but in the fayre or market. 2 ¶ If any perſon doe buy, or commune, & conclude to buy any Oxen, Steeres, Rontes, Kyne, Heicfers or Calues, but only in open fayre or market, where the ſame ſhall happen to be brought, and put to ſale, (except it be for the prouiſion of his houſholde, teeme, Dairy, or except it be a Butcher which ſhal not ſell the ſame agayne alyue) or ſhall ſell the ſame agayne on lyue, at or in the Market or fayre where he bought the ſame during the time of the ſayd Fayre or market, he ſhall forfaite the double value of the Cattel &c. ſo bought

or ſoulde, to the Q. & I. to be recouered by A. I. &c. wherein no Wl. &c. E. P. &c. 3. Ed. 6. 19. 14. El. 11. to endure to the ende of the next Parliament.

3 ¶ If any perſon which ſhal keep or feede aboue the nõber of vi. ſcore ſhare sheepe, for the moſt part of the yeere vpon his paſtures, lands, feedings or farmes which be continually ſeuerall & meete for milch Kine. (And wherein no other perſon 21. Octo. An. Do. 1555. had common for Cattel any time of the yere) do not keepe for euery iii. ſcore ſhare sheepe, one milch Cow, & for euery ſix ſcore ſhare sheep reare vp yerely one Calfe, ſo long as he ſhall keepe or feede the ſayd nomber of vi. ſcore ſhare sheepe, he ſhall forfaite for euery Cowe not kept for euery moneth xx. s. And for euery Calfe not reared xx. s. to the Queene and Informer, to be recouered within one yere after the offence &c. by accion, information, &c. wherin no Wl. &c. E. P. &c. 2. & 3. P. & M. 3. 13. El. 25.

A Cow for 60. sheepe and a Calfe for 120.

4 ¶ If any perſon which doeth keepe or feede vpon his ſeuerall paſtures aboue the nomber of xx. Oxen, Rontes, Steeres, Scrubs, Heifors, or Kine, do not for euery x. beaſtes keepe one milch Cowe, and for euery two kyne, weane and reare vp yerely one Calfe (except it chaunce to dye) he ſhall forfaite Vt ſupra. Prouided that no perſon ſhall be compelled to keepe any kyne, or reare any Calues for ſuch sheepe or other beaſts which he keepeth and feedeth only to be ſpent in his houſe. 2. & 3. P. & M. 3. 13. El. 25.

A cow for ten beaſts feed, and for two kine a calfe.

1 That no Butcher ſhal buy any Cattell & ſel them againe aliue. S. Butchers, 1.

2 Within what tyme Cattell may be put into coppies woods, S. Woodes, 22.

Certificat of Conuictes.

IF any Clerke of the Crowne, Clerke of the Peace, or Clerke of Aſſiſe where any attainder, conuiction or outlawry of felonie, ſhal be before the Juſtices of Peace, Gaole deliuery, or oyer and determiner, doe not certifie a briefe transcript, conteyning the tenour and effect of euery Indictment, outlawrie, conuiction, Clerke attaint, that is to ſay, the name, ſurname, and addicion of euery perſon ſo indicted and thereupon outlawed, conuicted, or Clerke attaynt, and the certeintie of his felonie, or other offence, and the day and place when and where it was done, the daye and place of his outlawrie, conuiction and attainder, into the Kinges Bench, within fourtie dayes next after ſuch attainder, conuiction or outlawrie, (if the terme then be open,) and if not, within twentie dayes next

Certificat into the kings bēch of euery outlawrie, attainder and conuiction.

next after the beginning of the Terme next following the sayde x. dayes: The sayd Clerke before whome such atteinder, outlawrie, or conuiction, &c. shalbe made, shall forfaite for euery such default of not certifying of euery such Record, xl.s. to the Queene and Informer, to be recouered by Accion, Information &c. wherein no Essoyne, Protection &c. And the Clerke of the Crowne in the Kings Bench shall receyue the same certificates and transcripts whensoeuer they shall be tendered vnto him by any of the aforesayde Clerkes of the Crowne, of the peace, or of Assise, or their deputies, vpon paine of forfeiture of xl.s. for euery certificat by him refused. 34.H.8.14.

The Clerke of the Crowne shal receiue the certificats.

The names of those onely which be attainted, conuicted, &c. shalbe certified.

2 ¶ But if there be more persons named in any such Indictement, other then such person attainted, conuicted or outlawed, then the sayd Clerkes shall certifie the transcript of such Indictement, outlawrie, or conuiction, onely concerning such person or persons, so indicted and attainted, outlawed, or conuicted into the Kings bench, which transcript so certified, shalbe taken as effectuall in lawe, to all intents against such person against whom it shalbe obiected or pleaded, as if the very Record thereof, (whereupon he was indicted) were present. 34.H.8.14.

Clerke of the Crowne shal certifie ꝑ name of conuicts to the Iustices.

3 ¶ If the Clerke of the Crowne in the Kings Bench for the tyme being do not incontinently, & without delay certifie to the Iustices of Gaole deliuerie, and Iustice of peace, of euery County of this Realme, (which shall write vnto him for the same) the names surnames of such persons which be so attainted by outlawrie, [illegible] attainted, or conuicted, and certified into the Kings Bench, and causes why, and wherefore they were attainted or conuicted, he shall forfaite for euery name so written for, and not certified by him to the sayd Iustices, xl.s. 34.H.8.14.

No certificat out of Wales, Chester, Lancaster, Durha.

4 ¶ This Act shall not extende to the Clerke of the Crowne, Clerkes of the peace, Clerkes of Goale deliuerie, neyther to any of the prenotaries within the Counties of Wales, and Chester, or within the Counties Palantines of Lancaster, and Durham, or any of them, to make any transcript of any such attainder, conuiction, or outlawrie of any person conuicted, attainted, or outlawed before the Queenes Iustices of her Counties of Wales nor Chester, or Countie of Lancaster, Durham, or any of them, but the same Recordes shall and may remayne in the custodie of the sayde Clerkes and prenotaries in such manner as they are. 34. H. 8.14.

IF a man doe let his lands to farme, or to finde Eſtouers in vittaile or cloathing, which amounteth to the fourth part of the very value of the land, and he that holdeth the land ſo charged letteth the ſame lie freſh, ſo that a man can find no diſtreſſe by ỹ ſpace of ii. or iii. yeres, to compell the Farmour to doe or yeeld that which is contained in the writing, After the two yeres paſt the leſſour ſhal haue an Accion out of the Chauncerie to demaund the land in demeſne, And if he againſt whom the land is demaunded, come before Judgement, and render the arrerages, and damages, and finde ſuch ſuertie as the Court ſhall thinke ſufficient, to pay from thencefoꝛth that which is contained in the writing of leaſe, he ſhall retaine the land, And if he tarrie vntil it be recouered by Judgement, he ſhalbe barred foꝛ euer after. Glo. 6. Ed. 1. 4. Ceſſauit againſt tenant by fee farme.

2 ¶ In like ſoꝛt, if a man do detaine from his Loꝛd his due and accuſtomed ſeruice by the ſpace of two yeres, the Loꝛd ſhall haue an action to demaund the land in demeſne. And in both theſe caſes, the heire of the demaundant ſhall haue a writ of Entre againſt the heire of the tenaunt, and againſt them to whom the land ſhalbe aliened, Weſt. 2. 13. Ed. 1. 21. There ſee the fourme of the writ of Ceſſauit. Ceſſauit by the Loꝛd againſt his tenaunt.

Challenge.

NOne of the petit Jurie, noꝛ other parties named in any bill of Attaint ſued in the Huſtinges in London (holden foꝛ common pleas beſoꝛe the Maioꝛ and the Aldermen vpon any vntrue verdicte giuen in any of the Courtes of the ſaid Citie,) ſhall oꝛ may haue any Challenge to the array, oꝛ to any perſon oꝛ Poll therein being impanelled, foꝛ lacke of ſufficient goodes oꝛ landes. 11. Hen. 7. 21. See Attaint 14. Challenge in a bill of attaint ſued in Lõdon.

2 ¶ Euery perſon being a citizen of the Citie of London, and in value of goodes and cattelles to the ſumme of foure hundꝛeth markes, may be impanelled and returned by the Sheriffes of the ſaid citie, in euery Attaint bꝛought by writ by vertue of the Statute of 23. Hen. 8. vpon verdictes giuen by the Citizens of the ſaid Citie without any Challenge foꝛ the inſufficiencie of freehold of any of them, to be made by any of the parties in ſuch attaint. 37. Hen. 8. 5. See Attaint. 14. Challenge in a writ of attaint ſued in Lõdon.

3 ¶ It is a principall Challenge in any of the Courtes within the Citie of London in any ſuite where the landes oꝛ tenementes, oꝛ accion perſonall, wherein the debt oꝛ damages amounteth to xl. markes Challenge in London where the thing in demand is woꝛth xl. markes.

markes or aboue, that the partie impaneled in the Enquest hath not landes, tenementes, goods or cattels, to the value of one hundred markes if it be alledged by any of the parties and so found. And no person shalbe impaneled, sommoned or sworne in any Jurie or Enquest, in Courtes within the same citie, except he be of landes, tenementes, or goodes and cattels to the value of fourtie markes. 11. Hen. 7. 21.

Riens deins le gard.

4 ¶ The Challenge commonly called (Riens deins le gard) within the citie of London, shalbe no Challenge, but vtterly voyde. 7. Hen. 7. 4.

Challenge for the Queene.

5 ¶ If a man Challenge a Jurie, or a Jurour for the Queene, he shall shewe cause of his Challenge forthwith, which cause shall immediatly be tryed by the Justices discretion, whether it be true or not. 33. Ed. 1.

Challenge of the Indictor.

6 ¶ No Indictor shalbe put in the Enquest vpon the deliuerance of the partie indicted of Trespas or felonie, if he which is indicted doeth challenge him for that cause. 25. Ed. 3. 3. S. Iurours. 3.

Challenge where the thing in demaund is worth xl. markes.

7 ¶ It is a good Challenge for the partie, where an Enquest is taken vpon the death of a man, or betwixt partie and partie in any plea reall or personall, where the debt or damages doeth amount to xl. markes, to say that any impaneled, hath not landes or tenements to the yerely value of xl. shillings aboue all charges. 2. Hen. 5. 3. But this Statute is to be intended onely of Enquestes to be had betwixt Denizen and Denizen, and not where trial is to be made Per medietat. lingue, where an Alien is one partie, according to the Statute of 28. Ed. 3. 13. 8. Hen. 6. 29. And euery person being the Queenes naturall subiect borne, which by any name doth enioy the liberties of any citie, borough, or towne corporat, where he dwelleth and maketh his abode, being worth in moueable goodes to the cleare value of xl. pound, shalbe admitted in triall of murders and felonies in euery Sessions and Gaole deliuerie holden for the Liberties of euery such citie, borough or towne corporat, albeit he hath no freehold. 23. Hen. 8. 13.

Inhabitant of townes corporat.

Challenge by one arrained by special commission.

8 ¶ If a Commission of Oyer and determiner be directed into any Countie for the triall of any person which doeth confesse any treason, misprision of treason, or murder to three of the Queenes Counsell, or is vehemently suspected thereof, no Challenge for the Shire or Hundred shalbe allowed vnto him. But the Challenge of any Juror for lacke of freehold of the yeerely value of xl. shillings shalbe allowed. 33. H. 8. 23. Neither shall he haue any Challenge to the

the hundred, which is arraigned for any offence committed vpon the sea, or in any other place, where the Admirall hath iurisdiction, before Commissioners thereunto authorized by the Queenes Commission vnder the great seale. 28. Hen. 8. 15. Challenge vpō arraignment of Piracie.

9 ¶ He that is arraigned of treason, murder or manslaughter committed within the verge, shall haue no maner of Challenge to any of the Jurie, (malice onely excepted) 33. Hen. 8. 12. Neither he which being the Queenes seruaunt sworne, and whose name is in the Chequer roule of the Queenes household, vnder the degree of a Lord, which is arraigned for conspiring with any other to destroy any Lord of this Realme, or any other sworne to the Queenes Counsell, or the Steward, Treasorer or Comptroller of the Queenes house. 3. H. 7. 14. Challenge by one arraigned for offence cōmitted within the verge. Challenge by one that conspireth any Lords death.

10 ¶ Peremptorie challenge shal not be allowed in any cases of high treason, or misprision of high treason, 33. Hen. 8. 23. No peremptorie challenge in treason.

11 ¶ No person arraigned for any Petit treason, murder, or felonie shalbe admitted to any Peremptorie challenge aboue the number of xx. 22. H. 8. 14. 32. H. 8. 3. No peremptorie challenge in murder, felonie.

12 ¶ Whosoeuer is indicted and arraigned vpon the Statute prouided against those which shal speake any seditious words against the Queene, shall haue aduauntage of al maner of challenges, to the Jurie, (Peremptorie challenge onely except) as in trial of felonie. 1. and 2. P. and M. 3. 1. El. 6. S. Newes. 3. &c. Seditious words.

13 ¶ If he which is impleaded for land by any Ecclesiasticall person, doeth make default, whereby Judgement ought to be giuen against him, if the Court do inquire by Jurie of the Countrie, whether the demaundant had right in the lands demaunded or not, euery Lord of whom the same landes be holden shalbe allowed to challenge the Jurors of the same inquisition, and so shal any man for the Queene that will. West. 2. 13. Ed. 1. 33. Challenge vpō an inquisition of collusion.

Chester, Cheshire.

The lawe, and administration of Justice, and all other thinges in the Countie of Chester in times past vsed to be had at the shire dayes, shalbe holden, had, made, done, and executed by the Justicer of the said Countie for the time being, at two times in the yeere onely, that is to saye, at the Sessions nexte after Saint Michael, and at the Sessions next after Easter, during so many dayes at euery of the said times as neede shall require, in like maner and fourme, as it is vsed and executed in the Countie Sessions kept in Chester two times in the yere.

palentine of Lancaſter. 32. Hen. 8. 43. And the ſaid two Sellions ſhall and may be holden at ſuch time and times, as by the ſaid Juſtice or his Deputie ſhalbe appointed, aſwel before the ſaid feaſtes of Eaſter and Michaelmas, as any other time, according as is commonly vſed in other ſhires of this Realme, ſo alwayes open proclamation be thereof made, by the ſpace of xv. dayes at the leaſt before the firſt day of the keeping of the ſame Sellions. 33. Hen. 8. 13.

Two knightes and two Burgeſſes for the Parliament in Cheſter.

2 ¶ The Countie palentine of Cheſter ſhal haue two knightes for the ſaid Countie, and two Citizens to be burgeſſes for the Citie of Cheſter, to be elected for euery parliament by proces awarded by the Chancelor of England, to the Chamberlaine of Cheſter, his lieutenant, or Deputie, And like proces to be made by ỹ ſaid Chamberlaine or &c. to the ſherife of the Countie of Cheſter. And the election ſhalbe made, in like maner and forme to all intents as is vſed in other ſhires and Cities, and euery of the ſaid Knightes and Burgeſſes ſo elected, ſhalbe returned into the Chauncerie of England by the ſherife in due forme, vpon like paine as other ſherifes of other ſhires, &c. And euery of the ſaid Knights and Burgeſſes ſhall haue like voice, authoritie, liberties, priuiledges, wages, fees, and commodities as other Knightes and Burgeſſes of the ſame Court of parliament enioy, vſe, and haue. 34. H. 8. 13.

An inhabitant of the Countie of Cheſter committeth felonie or murther in an other ſhire.

3 ¶ If any perſon of the Countie of Cheſter, reſiant in the ſame Countie, doe commit any murther or felonie in any place out of the ſame Countie, proces ſhalbe awarded againſt him by the Common lawe vnto the exigent, in the Countie where the offence was committed, And if he flee from thence into the Countie of Cheſter, and be outlawed for the ſaid murther, or felonie, the ſame vtlawrie or exigent ſhalbe certified vnto the officers of the Countie of Cheſter, and the felon ſhalbe taken by the ſame officers, and his lands, tenements, goods and cattels, within the ſame Countie of Cheſter, ſhalbe ſeiſed as forfait to the Queene or him which ſhalbe Lord of the ſaid Countie of Cheſter for the time, And the Queene ſhall haue the vere, [illegible] and waſte, & the other lands, goods, &c. of ſuch felon, being out of the ſaid Countie, ſhalbe forfait to the Queene and other Lordes which haue franchiſes. And in the ſame maner it is of any perſon of the ſaid Countie, reſiant or dwelling in the ſame Countie, which committeth Baterie, or other treſpas in an other Countie, and then fleeth into the Countie of Cheſter, his goods ſhalbe forfait &c. and if he be outlawed, the outlawrie ſhal be certified to the ſame officers of Cheſter, and his perſon ſhalbe taken, and his goods and cattelles ſhalbe

forfait

forfait &c. Vt supra. 1. Hen. 4. 14.

1 That no protection shalbe graunted to any person within the Countie of Chester, without the Queenes special warrant. S. Protection, 5. Protection.

2 For proclamations vpon Exigents, to be awarded against any person dwelling in the Countie palentine of Chester or the Citie of Chester. S. Exigents. 6. Proclamatiõs

3 That euery sherife of the Countie of Chester and of the Citie of Chester, shall haue a deputie in the Kings Benche, and common place. S. Exigents. 7. Deputies.

4 That fines may be leuied before the highe Iustice of Chester, his deputie or lieutenant, of lands being within the Countie palentine of Chester. S. Fines. 13. Fines.

5 That a Tales de circumstantibus is grauntable in the Countie of Chester, where a full Iurie doth not appeare. S. Iurors. 21. 23. Tales.

6 In what sort, and by whom the Commission of Sewers shalbe directed within the fees of the Countie palentine of Chester. S. Sewers. 18. 19. Sewers.

7 For Statutes to be acknowledged before the Maior of Chester. S. Statutes. 1. Statutes.

8 How offices found in the Countie of Chester, shalbe receiued and certified into the Court of wards. S. Offices. 7. Offices.

9 That two Coroners shalbe for Cheshire, and for their authoritie. S. Coroners. 20. Coroners.

Cheirographer, and Custos Breuium.

The Cheirographer of the Common place, his farmour, deputie, or lieutenaunt, shall not take any more then iiii. s. for any fine leuied in the same Court, And if the farmour, deputie, or lieutenant do take any more, he shall forfait his office, be excluded the same Court, suffer one yeres imprisonment, and pay to the partie greeued his treble damages, And the partie greeued shall haue his suite, before the Iustices of the same Court. 2. Henrici 4. 8. Westminster. 2. 13. Edwardi 1. 44. The Cheirographers fee, vpon euery fine.

2 All writtes of couenant, and all other writtes whereupon fines shalbe leuied, with the writtes of Dedimus potestatem (if any be) with all knowledges, and notes of the same, before that they be drawen out of the Common place by the Cheirographer, shalbe inrouled in a roule to be of record for euer, to remaine in the safe cu- Inrouling of writs in the common place whereupon fines be leuied.

ſtodie of the chiefe Clerke of the Common place, and of his ſucceſſors for the old fee of xxii. d. accuſtomed to be payed to the chiefe Clerke, for the entring of the record of euery fine, without paying any more, to the intent that if the notes in the Cuſtodie of the Cheirographer, or the fines be imbeaſiled, a man may haue recourſe to the ſaid roule, to haue execution, as he ſhould haue, if the fines were not imbeaſiled. 5. Hen. 4. 14.

Citation.

No perſon ſhalbe cited to appeare out of the Dioces where he dwelleth.

IF any perſon be cited, ſommoned or otherwiſe called to appeare, by himſelfe, or his procurator, before any ordinarie, Archdeacon, Commiſſarie, officiall, or other Judge ſpiritual, by vertue of his office, or at the ſuit of any perſon, out of the Dioces or peculiar Juriſdiction, where the partie cited, ſommoned, or called, dwelled at the time of the ſame Citation awarded, the ſaid ordinarie, Archdeacon, &c. ſhall forfait to the partie ſo cited double damages, and coſtes for veration, to be recouered by A. of debt, or A. vpõ the caſe, by A. B. &c. and alſo ſhall forfait x. pound to the Queene and Informer, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. (except it be for any ſpiritual offence, or cauſe committed, done, forſlowed, negletted, or committed by any Biſhoppe, Archdeacon, or other perſon hauing ſpirituall Juriſdiction, or being a ſpiritual Judge, or by any other perſon within the Dioces, or Juriſdiction, whereunto he ſhalbe cited, or otherwiſe lawfully called to appeare and aunſwere, or except it be by or vpon matter or cauſe of appeale, or for other lawfull cauſe, wherein any partie ſhall find himſelfe greeued or wronged by the Ordinarie, Judge, or Judges of the Dioces or Juriſdiction, or by any of his ſubſtitutes or miniſters, after the matter or cauſe there firſt commenced and begonne, to be ſhewed to the Archbiſhoppe or Biſhop, or any other hauing peculiar Juriſdiction, within whoſe Prouince the Dioces or place peculiar is, Or in caſe that the Judge dare not, or will not conuent the partie to be ſued before him, Or that the Biſhop of the Dioces or the Judge of the place, within whoſe Juriſdiction or before whom the ſuit by this Acte ſhould be commenced and proſecuted be partie directly, or indirectly to the matter or cauſe of the ſame ſuit, Or that any Biſhop, or any inferiour Judge, hauing vnder him Juriſdiction in his owne right and title, or by commiſſion, doe make requeſt, or inſtance to the Archbiſhop, or other ſuperiour ordinarie or Judge, to take, treat, examine, or determine the matter before him or his Subſtitute, And that to

Exceptions.

be done

be done in cases onely where the Ciuil or Canon lawe doth affirme execution of such request or instance of Jurisdiction, to be lawfull or tolerable, Or except it be for testaments to be prooued before the Archbishop of Canterburie, by reason of his prerogatiue, or for Testaments to be prooued before the Archbishop of Yorke, within his Jurisdiction, by reason of any prerogatiue. 23. Hen. 8. 9. 1. Eliz. 1.

2 ¶ It is lawful for any Archbishop of this Realme to cite, call, and common any person dwelling in any Bishoppes Dioces within his prouince, for causes of heresie, if the Bishop or other ordinarie immediat thereunto consent, or doe not his duetie in the punishment of the same. 23. Hen. 8. 9. 1. El. 1. Archbishops may cite for heresie.

3 ¶ If any Archbishoppe, Bishop, Ordinarie, Officiall, Commissarie or other person hauing spirituall iurisdiction, or any substitute or minister of his doe aske, demaund, take or receiue more then iii. d. for the seale of any Citation, he shall pay to the partie of whom &c. double damages and costes, And shall forfait for euery offence x. pound to the Queene and Informer, &c. to be recouered by A. I. &c. wherein no Wl. &c. E. P. &c. 23. H. 8. 9. 1. El. 1. iii. d. for the seale of a Citation.

Clergie.

NO person shall haue the priuiledge of his Clergie which shalbe indicted, or appealed for felonious taking of any money, goods, or Cattels from the person of any other, priuily without his knowledge in any place whatsoeuer, and thereupon found guiltie by verdict of xii. men, or shall confesse the same vpon his arraignment, or will not answere directly to the same according to the lawes of this Realme, or shall stand wilfully, or of malice, or obstinately mute, or challenge Peremptorie aboue the number of xx. or shalbe vpon such indictment or appeale outlawed. 8. El. 4. Cutpurse.

2 ¶ Nor he which vnlawfully cõspireth, compasseth, imagineth, practiseth, or deuiseth by any meanes with force, sleight, or deuise, to take, or keepe from the Queene any of her Castels, Towers, fortresses, or holdes, or maliciously and rebelliously to rase, burne, or destroy any Castell, Bulwarke, or Fort, or any part of them, hauing munition or ordinance of the Queenes therein, or appointed to be garded with Souldiours for defence thereof, within any of the Queenes dominions, or the marches of the same, and the same conspiracies &c. aduisedly by expresse act, words, or writing doth declare, Deteyning the Queenes Castels.

for any of the malicious and rebellious intents aforesaid. Nor which is an ayder, counseller, comforter, consenter or abettour, knowing thereof, to any such offender, and is of any of the said offences lawfully conuicted. 14. El. 1. to endure during the Queenes life. S. Castels. 1. Felonie. 4.

Vacabondes. 3 ¶ Nor he which being a vacabound of the age of xviii. yeres or aboue, and being marked, or adiudged to be burned through the gristle of the right eare, and vpon his second conuiction of his rogish life is taken by some person into seruice, from whom he departeth within two yeres against his will that tooke him. Nor which being twice conuicted as a vacabound, doeth fall the third (or more ofter time) to a rogish life, and is thereof indicted and conuicted. 14. El. 5. 18. El. 3. S. vacabonds. 5. Felonie. 5.

Coniuration. 4 Nor he which doeth practise inuocation, or coniuration of wicked spirits for any intent, or witchcraft, enchantment, charme, or sorcerie, whereby any person shalbe killed, or destroyed. Nor which

Witchcraft. doth the second time practise witchcraft, enchantment, charme, or sorcerie, whereby any person shalbe consumed, or lamed in his body, or member, or wherby any goods of any person shalbe wasted or impaired, being once conuicted of the said offence before. Nor which is an ayder or counseller to any of the said offenders, & is of any of the said offences lawfully conuicted. 5. El. 16. S. Coniuration. 1. 2. 3. Felonie. 6. 7. 8.

Buggerie. 5 ¶ Nor he which doth commit buggerie with mankind or beast and is thereof conuicted by verdict, confession or outlawrie. 25. H. 8. 6. 5. Eliz. 17.

Commandement of felonies. 6 ¶ Nor he which doeth maliciously commaund, hire, or counsell any person to commit petit treason, or wilfull murder, or to do any robberie in any dwelling house, or in, or neare any high way, or within the marches of England, against Scotland, Or wilfully burne any dwelling house, or any part thereof, or any barne then hauing corne therein, and is thereof outlawed, or otherwise attainted, or conuicted, or being arraigned, doe stand mute of malice, or do challenge peremptorie aboue xx. or will not answere directly to such offence. 4. and 5. P. and M. 4.

Attainted where ꝑ goods were carried. 7 ¶ Nor he which is indicted, arraigned and attainted, or refuseth lawfull trial in a Countie where he was taken with the manner, and whereunto the goods stollen in a forreigne Countie were conueyed, if so be that he might not haue had his clergie in the other

county

county where the goods were stollen. 25. Hen. octaui. 3. 5. Edwardi sexti. 10.

8 ¶ Nor he which being once conuicted, or condemned of any of the offences prohibited by the statute prouided. 5. Eliza. against the forging of euidences and writings, by any of the wayes in the same statute limitted, shall after any his such cõdemnation, eftsoons commit any of the said offences in fourme in the said statute expressed. 5. El. 14. S. Forger. &c. 4. Forger of deedes.

9 ¶ Nor any Souldier seruing the Queene in her warres, in any of her dominions, or on the sea, or beyõd the sea, or in Scotland, or in any Garrison, which departeth without licence of the Lieutenant, high Admirall, Viceadmirall, Warden, or Capteine, and in their absence of their Lieutenaunts. 2. Edwardi sexti. 2. See Capteine. 3. Souldier.

10 ¶ Nor he which is attainted by confession, verdict, or outlawrie for any felonious Rape, rauishment, or Burglary, or for vnlawfull and carnall knowledge, and abuse of any woman childe vnder the age of tenne yeeres. 18. El. 6. Rape, burglary

11 ¶ Nor any person of the age of fourteene yeeres or aboue, calling him selfe an Egyptian, or being in company with them, or counterfeiting, or disguising him selfe by his apparell, speach, or other behauiour like vnto the vacabonds calling them selues Egyptians, and so doth continue, at one, or seuerall times by the space of a moneth. 1. & 2. P. & M. 4. 5. El. 20. S. Egyptians. 2. Egyptian.

12 ¶ Nor he which doth commit any wilfull murder, or wilfull poysoning of malice prepensed, Nor which doth robbe any person, in or neare vnto the high way. Nor which doeth steale any horses, geldings or mares, (or any horse, gelding, or mare. 3. Ed. 6. 33.) Nor which doth feloniously take goods, out of any Church or Chappell. Nor which doth breake any house by day or by night, any person being in the same, and thereby put in feare, or doth robbe any person in any part of his dwelling house, or dwelling place, ꝑ owner or dweller in the same house, his wife, childrẽ, or seruants, being then within the same house or place, where the robberie was done, or in any other place within the precinct of the same house, or dwelling place, and then being waking or sleeping. Nor which doth robbe any person being in a tent or booth, in a faire or market, the owner, his wife, children, or any seruant then being within the same boothe or tent, whether they then and there being, shalbe sleeping or waking, and

Wilfull murther, poysoning. Robbing in the high wayes. Stealing of horses. Robbing of Churches. Robbing of houses. Robbing of boothes.

is

is of any of the ſaid offences in due forme of law attainted, or conuicted, or being indicted or appealed of any of the ſame offences, and thereupon found giltie by verdict, or ſhall confeſſe the ſame vpon his arraignment, or will not anſwere directly according to ỹ lawes of this Realme, or ſhall ſtand wilfully, or of malice mute. 23. H. 8. 1. 32. H. 8. 3. 1. Ed. 6. 12. 5. Ed. 6. 9.

Clergie allowable in al other caſes.

13 ¶ In all other caſes of felonie, other then ſuch as be before mentioned, euery perſon which ſhall be arraigned, or found giltie vpon his arraignment, or ſhall confeſſe the ſame, or ſhall ſtande wilfully or of malice mute, or will not anſwere directly, ſhall haue and enioy the priuilege of his Clergie and ſanctuarie, in like maner, as he ſhould haue done before the 24. Aprill. Anno 1. Henrici octaui. 1. Ed. 6. 12.

Clergie allowable but once.

14 ¶ Euery perſon (not being within orders) which once hath bene admitted to the benefite of his Clergie, being eftſoons arraigned of any ſuch offẽce, ſhal not be admitted to haue the priuiledge of his Clergie. And euery perſon conuict ſhalbe marked by the Gaoler openly in the Court before the Iudge. 4. Henrici. 7. 13. Such as be within holy orders ſhall be and ſtand vnder the ſame paines and dammages for their offences &c. and be vſed and ordered to all intents, as other perſons not being within holy orders ſhall be. 28. H. 8. 1. 32. H. 8. 3. Attamen vide. 1. Ed. 6. 12. and 1. & 2. P. & M. 8. &c. & Quere.

A conuict perſon marked.

Orders of the Church.

Quere.

Bigamus allowed his clergie.

15 ¶ Euery perſon that by any ſtatutes or lawes of this Realme ought to haue, or be admitted to the benefite of his Clergie, ſhalbe admitted to his Clergie, although he hath bene ſundry times married to any ſingle woman, or ſingle women, or to any widowe or widowes, or to two wiues or mo. 1. Ed. 6. 12.

He that is allowed his clergie ſhall anſwere to former offences, wherein clergy is not allowed

16 ¶ Euery perſon, which ſhall vpon his arraignment, for any felonie be admitted to his Clergie by the lawes of this Realme, ſhall before the ſame admiſſion haue commited any other offence whereupon Clergie by the lawes and ſtatutes is not allowable, and not being thereof before indicted, and acquited, conuicted or attainted, or pardoned, ſhall and may bee indicted, or appealed for the ſame, and thereupon ordered, and vſed in all things according to the lawes, in ſuch maner as though no ſuch admiſſion of Clergie had bene. 8. El. 4.

A Lord of the parliament.

17 ¶ In euery caſe where any of the Queenes ſubiects may vpon his prayer haue the priuiledge of clergie, as a Clerke conuict, that may make purgation, in all thoſe caſes, and alſo in euery caſe of

of felonie wherein the Priuiledge of Clergie is taken away by the stat. of 1. Edwar. 6. wilfull murder, and poysoning of malice prepensed onely except (videlicet for breaking any house &c. robbing any person in or nere vnto the high way, stealing of Horses, or robbing any Church or Chappell.) A Lorde of the Parliament, and Peere of the Realme, hauing place and voyce in Parliament, shall of common grace vpon his request, alleadging that he is a Lorde or Peere of the Realme, & claiming the benefite of this statute though he can not reade, without any burning in the hande, losse of inheritance, or corruption of blood, be taken, and vsed for the first time, only as a Clerke conuict, which may make purgation, without any further, or other Priuiledge of Clergie, to any such Lord, or Peere, from thencefoorth at any time after, for any cause to be allowed. 1. Edwar. 6. 12. But in all other cases where Clergie is taken away, by any statute made sithence 1. Ed. 6. it seemeth that a Lorde of the Parliament is in the same case as another inferiour person. Sed Quere. Quere.

18 ¶ Euery person which shall be admitted to haue the benefite of his Clergie, shal not thereupon be deliuered to the Ordinary, as hath bene accustomed, but after such Clergie allowed, and burning in the hande, shall foorthwith be enlarged, and deliuered out of prison by the Justices before whome such Clergie shall bee graunted. But the sayde Justices shall and may for the further correction of such persons to whom Clergie shalbe allowed, detein thē in prison for such conuenient time as the same Justices shall thinke conuenient, so as the same do not exceede one yeeres imprisonment. 18. El. 6. Clergy allowed without deliuery to the ordinary.

19 ¶ Euery person which shalbe admitted to haue the benefite of his Clergie, shal notwithstanding his admission to the same be put to answere to all other felonies, whereof he shall be indicted, or appealed, and not being thereof before acquited, conuicted, attainted or pardoned, and shal in such maner and fourme be arraigned, tried, adiudged, and suffer such execution for the same, as he shoulde haue done (if as Clerke conuict) he had bene deliuered to the Ordinarie, and there had made his purgation. 18. El. 6. He that is allowed his clergie shall answere to all other felonies.

Clerke of the market.

THe Clerke of the market of the Queenes house, shall take no common fine, but euery person which is found in defaulte touching the same office, shall be punished according to his desertes. Clerke, he shall take no common fine.

The

The sayde Clerke shall ryde but with sixe horses at the most, and shal not tary in any towne, or other place, longer then the necessitie of his businesse doeth require, and if he doe any thing contrary to this statute, and is thereof duely convicted, he shall pay to the Queene at the first time C.s. at the second time x.li. & at the third time xx.li. 13. Rich. 2. 4. The Clerke of the market shall haue all his weights and measures signed according to the standard of the Eschequer with him, when he goeth to assay weights and measures, And he nor none other shall vse any other weight or measure. decimo sexto Richardi secundi 3.

The Clerke shall haue his weights with him.

2 ¶ In all places where so euer the Queene in her owne royall person shall come to rest, tarrie, abide, or make her repose within any her dominiõs within libertie or without, there & within the verge limited and accustomed to her court, during the time of her abode, her graces Clerke of the market, and none other during the same time, as well within libertie as without, shall exercise the office of Clerke of the Market, any priuiledge, graunt, allowance, or other thing to the contrary thereof notwithstanding: But this shall not be preiudiciall to the citie of London, but the sayde citie may vse such liberties as they might before. &c. 27. H. 8. 24. 32. H. 8. 20.

Clerke &c. of the Queenes house shall vse the office within the verge & none other.

Clerke of Assise.

NO Clerke of Assise during the onely time of the Session, of a for any assises or Nisi prius, shall be of counsell with any parties within any circuit, whereof he shalbe clerke of assise, other wise to that office onely appertaineth, vpon paine to forfeit for euery time offending to the contrary, x.li. to the Q. and P. grieued, to be recouered by A. I. &c. wherein no W. E. P. &c. 33. H. 8. 24.

1 That the Clerke of assise may execute his office in the county where he was borne or doth dwell, S. Iustices of assise. 2.

Clerke of the signet or priuie seale.

EUery Clerke of the signet and priuie seale, shall take for his writing of a warrant vppon a bill for Tailes of reward xii.d. for the writing of a warrant for the gifte of euery office xx.d. for the writing of a warrant for a pension, annuitie or wages, twenty pence. for the writing of a warrãt for a speciall liuerie or other perpetuitie six shillings eyght pence. for writing of a warrant vpon euerye bill for a Conge dellier, Royall assent, restitution of temporalities, donatiues,

The Clerkes fees for warrants.

ponatiues, aduocations, presentations, or other ecclesiasticall matter iii.s iiii.d. for the writing of euery warrant vpon a Placard, Licēce, Pardon or Sheriffes rewarde ii.s. for the writing of euery warrant vpon a Denizen, iii.s. iiii.d. for the writing of a warrant for keeping of an Idiot. xx.d. for the writing of a warrant for keeping of a ward iii.s. iiii.d. & no Clerke of ỳ signet or priuie seale shal take for the writing of any warrāt aboue specified more large fees, then before is appointed, vpon paine to forfaite x.li. to the Queene and Informer to be recouered by A. I. &c. wherein no Wager. &c. E. P. &c. 27. Henrici octaui. 11.

Clerke of the peace.

Custos Rotulorum shall appoint Clerke of the peace.

EVery Custos Rotulorum, for the time being, shall at all times in euery shire of this realme, Wales, and other the Queens dominions, marches, & territories of the same, assigne euery person which shalbe Clerke of the peace, within any of the saide shires, dominōs, marches, and territories of the same, and graunt the same office of the Clerkeshippe of the peace to such able person instructed in the lawes of this Realme, as shalbe able to exercise the same, to enioye the same during the tyme that the sayd Custos Rotulorum shall exercise the sayd office of Custos Rotulorum, so that the saide Clerke demeane him in the said office iustly and honestly, and it shalbe lawfull to euery such grauntees of the said Clerkeshippe to occupie the same office by himselfe, or his sufficient deputie instructed in the lawes of this Realme, so that the same deputie be admitted by the said Custos Rotulorum, to be sufficient and able to exercise, and enioy the same office. 37. H. 8. 1.

Clerke of the peace may make a deputy.

1 The fees of the Clerke of the peace for euery recognisance and licence graunted to euery badger, lader, drouer, &c. S. Badger. 3.

2 For the Clerke of the peace his fee, and duetie, for the Inrolment of any deede. S. Inrolments. 2.

Collectour.

EVery grant, patent, or writing that shall be made to any person by any Archbishop or Bishop alone, or by any of them, and confirmed by Chapter seale of the office of Collectorship of the tenths perely due to the Queenes Maiestie within the Diocesse and Bishoppicke of the grauntor, by reason of the statute of first fruits and tenths, shall abide in his force no longer time then the grauntor shal remaine Archbishop or Bishop of the same Sea, whereof he was possessed at the time of his said graunt, any confirmation of the said

graunt,

graunt, cuſtome, lawe, or ſtatute, &c. notwithſtanding. 7. Edw. 6. 4. 1. Eliz. 4.

1 Howe collectours of diſmes accompting in the Eſchequer may be charged in the ſame, or other courtes, to anſwere to other. See Accomptants to the Q. 42.

2 That the lands, goods, &c. of vnder collectors of tenths and ſubſidies be chargeable to the Q. for the ſatiſfying of their receipt. See accomptants to the Q. 40. 41.

3 Collectours for the repairing of Bridges, their receipt, charge, and accompt. S. Bridges. 3. 4. 5.

4 The duetie, receipt, charge, and accompt of the collectors for the poore. S. poore. 2. 5. 6. 21. 25. 26.

5 For the duetie, receipt, charge, and accompt of collectors for the making of priſons. See Priſons. 1. 2.

Commiſsions, Commiſsioners.

Cõmiſsioners not receiuing the commiſsion diſcharged vpon their othes.

WHere a commiſsion is directed to any perſon to heare and determine, or to enquire and certifie, which commiſsioners neuer knewe of the ſayde Commiſsion, neither yet the ſame euer came to their hands, if the ſame commiſsioners be diſtrained by ppces forth of the Eſchequer for iſſues loſt by reaſon of the ſayde commiſsion, they may take their othes before the Barons of the Eſchequer of their excuſe, and diſcharge of the receipt or occupying of the ſaid commiſsion: and alſo the Barons of the Eſchequer and the Iuſtices of the one Bench, and the other, haue power by writ of Dedimus poteſtatem, to receiue ſuch othes in the countrey, and thereof to certifie the Barons into the Eſchequer, whereupon the Barons ſhall diſcharge the ſaide commiſsioners: and in like ſorte it ſhall be done, for the heires, executors or land tenants of the ſaid commiſsioners: But ſuch othes ſhall not be taken but in caſes of commiſsions to heare and determine, and to enquire and certifie. 7. Hen. 4. 11.

Cõmiſsioners for the decay of houſes of tillage

2 ¶ If the commiſsioners or foure of them at the leaſt, to whom a commiſsion vnder the great ſeale of England is directed, to enquire and make ſearch of the offẽces commited againſt the ſtatutes made 4. H. 7. 9. 7. H. 8. 1. 27. H. 8. 22. 5. El. 2. (concerning the decaye of houſes of huſbandrie and tillage, and whether any perſon to whome any penaltie or forfeiture is giuen by the ſaid ſtatutes or any of them, haue taken the benefite of the ſayde forfeiture) doe not within three monethes next after ſuch enquirie and ſearche made certifie

certificat thereof and of their doings, by vertue of the sayde commission, into the Chauncerie, vnder their hands and seales, euery of them shall forfeite to the Queene, her heires and successours xx. li. 5. El. 2. 14. El. 11.

3 ¶ The same commissioners or two of them at the least, haue authoritie to direct their precept to the Shiriffes of ỳ county being within the limits of their commission, to warne as many honest men of his bayliwicke as the said commissioners shall appoint, by whom the trueth in the premisses may best be knowen, to enquire and true presentment make of all offences committed contrary to the saide acts, or any of them, and to set such reasonable fines and amercements vpon such persons as shall make defaulte of their apparances, or making their apparances, shall neglect to do their duties in and about the execution of the premisses, as to the sayde Commissioners or foure of them shalbe thought conuenient, so that the sayde fines or amercements for one default exceed not xx. s. And the same fines &c. shall be yeerely estreated into the Eschequer, to be leuied to the Queenes vse, 5. El. 2. 14. El. 11. to continue vnto the ende of the next Parliament.

1 For the authoritie of Commissioners which are to enquire of Bankrupts, and what they shall doe in euery respect. See Bankrupts. 2. &c. Bankrupts.

2 For all the authoritie of the Commissioners of Sewers, and vvhat in each respect is to be done by force of the said commission, See Sewers. 1. &c. Sewers.

3 In vvhat cases commissions shall be directed to enquire of purueyours behauiour. S. Purueyours. 18. Purueyours.

4 VVhere one commission of the peace shall not be a Supersedeas to another. S. Iustices of peace. 105. Commission of peace.

5 For Commissions to enquire of offences done vpon the sea, and for the commissioners authoritie. See Piracie. 1. 2. 4. Piracie.

6 That purueyours shall shevve their commissions to them, of vvhome they take any thing. See Purueyours. 3. Purueyours.

7 For the substance, forme, and continuance of commissions graunted to Purueyours. See Purueyours. 25. 26. 27. 31. Purueyours.

8 VVhere commissions shall be graunted to enquire of Iustices of peace and Shiriffes defaultes, for not enquiring of Riots. See Riots. 6. Riots.

9 In vvhat cases Treasons may be tried in any Countie, by the Queenes speciall commission. See Treason. 9. Treason.

10 In

Villaines. 10 In what case a commission shalbe graunted to enquire of the misdemeanor of villaines. S. Villaines, 1.

Appeales. 11 In what case a commission shalbe graunted vpon an Appeal out of an Archbishoppes court, S. Appeales. 5.

12 That no suite before certeine Iustices and Commissioners shall be discontinued by a new commission. S. Discontinuance of proces, 6.

13 For commissions vpon appeales vpon ciuil or marine causes S. Appeales, 8.

14 For the commission for executing spiritual Iurisdiction and the commissioners authoritie. S. Queene, 3.

15 For commissions to enquire of concealments made by offices accomptable in the Eschequer, S. accomptant to the Q. 46.

Condition, Couenant.

Graūtees of reuersions shal take aduantage of condicions and couenants against the lessees.

AS well all and euery person & persons, & bodies politike, their heires, successors & assignes, which haue any gift or graunt of king Henry the eight, by his letters patents, of any Lordships, Manors, Lands, Tenements, Rents, Parsonages, Tithes, Portions, & any other hereditaments, or of any reuersion or reuersions of the same, as also al other persons being grauntees or assignees, to or by the said king, or to or by any other person or persons, then the said king H. 8. & the heires, executors, successors, and assignes of euery of them shal and may haue, & enioy like aduantages against the lessees their executors, administrators, & assignes, by entre for nonpayment of the rent, or for doing of waste, or other forfeiture, and also all and euery such like, and the same aduantage, benefite, and remedy by action onely, for not performing of other conditions, couenants, or agreements conteined and expressed in the indentures of the sayde leases, demises, or graunts, against all and euery the lessees, fermors, & grauntees their executors, administrators and assignes, as the sayde Lessors, or grauntors them selues, or their heyres or successours ought, shoulde, or might haue had and inioyed at any time. 32. H. 8. 34.

Lessees shall haue the same aduantage against the grauntees in reuersion that they might haue had against the grauntors.

2 ¶ All fermours, lessees, and grauntees, of Lordshippes, Manors, Landes, Tenements, Rents, Parsonages, Tithes, Portions, or any other hereditaments for terme of yeeres, lyfe, or liues, their executors, administrators and assignes, shall and may haue like action, aduauntage, and remedye against all and euery person and persons and bodyes politique, their heires, successours and assignes,

assignes, which haue or shall haue any gift or graunt of any person or persons of the reuersion of the same manors, landes, tenements, and other hereditaments so letten, or any parcell thereof, for any condition, couenant or agreement conteined, or expressed in the Indentures of their lease & leases, as the same lessees, or any of them might and should haue had against the saide lessors and grauntors, their heires or successors (all benefites and aduantages of recoueries in value, by reason of any warrantie in deede, or in lawe by voucher or otherwise onely excepted) 32.H.8.34.

Condite.

IF any person doe wilfully, maliciously, & vnlawfully cut, or cause to be cut out the head or pipe of any condite of any other persons, he shal lose to the partie grieued treble damages, to be recouered by action of trespasse, & shall forfaite to the Q.r.li. for a fine. 37.H.8.6.

Coniuration, Enchantment, Witchcraft.

THe vse, practise, or exercise of any Inuocations, or coniurations of euill and wicked spirits, to, or for any intent, or purpose is felonie, & the offendors their aidors & councellours be felons. 5.El.16. Coniuration is felony.

2 ¶ The vse, practise, or exercise of any Witchcraft, Charme or Sorcerie, whereby any person shalbe killed, or destroyed, is felony, and the offendors their aidors and counsailors be felons. 5.El.16. Witchcraft whereby any person is killed.

3 ¶ If any person shall vse, practise, or exercise witchcraft, enchantment, charme or sorcerie, whereby the body or member of any other shalbe wasted, consumed, or lamed, or his goodes or cattels destroyed, wasted, or impaired, or shalbe councelling or aiding to the same, he shall for the first offence be imprisoned a whole yeere without baile or mainprise, and once euery quarter of the said yeere, stand vpon the pillory, vpon some market or faire day by the space of fiue houres, and shall openly confesse his errour and offence. And for the second offence being as is aforesaid lawfully conuicted or attainted, he shall suffer death as a felon, Sauing to the wife of any offendor in felony by this statute her title of dower, and to the heire and successors his title in inheritance, succession, and other rights, as though no such attaindor had bene. 5.El.16. Witchcraft whereby any person shalbe lamed or his goods destroyed. The inheritãce and wiues dower saued.

4 ¶ If any person shall take vpon him by witchcraft, enchantment, charme, or sorcerie, to declare in what place any treasure of gold or siluer might be found in the earth, or other seuerall place, or where things lost or stollen should be found, or become, or shall practise Declaring by witchcraft, where any treasure, or stollen things be, and punishing the same.

tiſe by enchantment, charme or ſorcerie, to the intent to prouoke any perſon to vnlawfull loue, or to hurt or deſtroy any perſon in his body, member, or goods, and being thereof lawfully conuicted, he ſhall for the firſt offence be impriſoned by the ſpace of a yeere without baile or mainprize, and ſhall once euery quarter of ỹ ſaid yeere ſtand vpon the pillory vpon the market or faire day ſixe houres, and confeſſe his offence openly &c. and ſo being once conuict, he ſhal for his ſecond offence being thereof conuicted, forfaite to the Queene al his goods and cattels, and be impriſoned during his life. 5. El. 16.

1 That clergie is takẽ away from him which is attainted of coniuration, witchcraft, &c. S. Clergie. 4.

Conſpiracie.

Who be conſpirators.

CONſpirators be they which bind themſelues by othe, couenant, or other aliance, that euery one ſhall helpe & maintaine others purpoſe, falſely, and maliciouſly to endite, or to moue or maintaine ſuites, And alſo ỹ cauſe Infants to appeale others of felony, whereby they are impriſoned and much grieued, And ſuch as retaine men in the Countrey with liueries, or fees, to maintaine their lewde enterpriſes, and to ſubuert the trueth, aſwell the takers as the giuers, And Bailifes and Stewards of great Lords, which by their ſeigniory, office, or power, doe vndertake to maintaine or vpholde other quarels or ſuites, then ſuch which concerne their Lordes, or themſelues. 33. Ed. 1.

The punishmẽt of cõſpirators.

2 ¶ A man ſhall haue a writ out of the Chauncery againſt conſpirators, falſe Informers, and Imbracours of Aſſiſes, Enqueſts, and Iuries, and alſo Iuſtices of eyther Benche, and of Aſſiſe, when they come into the Countrey to take Aſſiſes, ſhall make enquirie thereof vpon any mans plaint without writ, and ſhall without delay doe right to the plaintifes. 28. Ed. 1. 10.

Conſpiracie vpon appeles, &c. of felony committed in a place ſuppoſed where there is no ſuch.

3 ¶ Appelles and Inditements of treaſon and felony ſuppoſed to be done in places where there be no ſuch places in ỹ ſame Countie, be voide, and alſo the proces thereupon awarded, And they which be indicted or appealed may haue a writ of conſpiracie againſt their Inditors, Procurors, & Conſpirators, & ſhal recouer their damages, and the Inditors, Procurors, and Conſpirators ſhalbe impriſoned, make fine and raunſome to the Queene by the Iuſtices diſcretion. 9. H. 5. 1. 18. H. 6. 12.

Conuocation.

The Clergie at the conuocatiõ ſhall haue ſuch liberties as

ALl ỹ Clergie which be called to ỹ Conuocation by ỹ Queenes writ, and all their ſeruants and familiars, ſhall fully vſe, and en-

ioy

ioy ſuch libertie, or defence in comming, tarying and returning, as the great men, and commons of the Realme haue, doe, or wont, or ought to enioy which are called to the parliament. 8.H.6.1. they which come to the parliament.

2 ¶ The Clergie, nor any of them ſhall preſume to attempt, alledge, claime, or put in vre, any conſtitutions, or ordinances prouinciall or ſynodal, or any other Canons, nor ſhall enact, promulge, or execute any ſuch Canons, conſtitutions, or ordinances prouincial by what ſoeuer name or names they may be called in their conuocations (which alwayes ſhalbe aſſembled by authoritie of the Queenes writ) vnles the ſame Clergie may haue the Queenes royall aſſent, and licence to make, promulge, and execute ſuch Canons, conſtitutions, and ordinances prouinciall or ſynodall, vpon paine of euery of the ſaid Clergie doing contrary to this act, & being thereof conuict, to ſuffer impriſonment and make fine at the Queenes will. 25.H.8. 19.1.El.1. The Clergie ſhall not put in vre any conſtitucions without ꝑ Queenes aſſent.

3 ¶ No perſon reſiant in any of the Queenes dominions, ſhall depart out of ꝑ ſaid dominions to or for any viſitatiõ, congregation, or aſſemblies for religion, but all ſuch viſitations, congregations, & aſſemblies ſhalbe within ꝑ Queenes dominions. 25.H.8.21.1.El.1.

Corne and Graine.

NO perſon ſhall tranſport out of this Realme, by any Shippe, Crayer or other veſſell, into any place beyond the ſeas, or into Scotland, any Wheate, Rye, Barlie, or other corne or graine, growing within this Realme, or any Malt made within the ſame, or any Beere, Butter, Cheeſe, Herring, or Wood, (except onely, to and for the victualing and furniture of Berwicke, & the Marches of the ſame) without lawfull authoritie ſo to doe, vpon paine that the owner of the ſaid Corne, Butter, Cheeſe, Herring and Wood, to forf. the double value of the ſame ſo caried, to the Q. and I. to be rec. by I.I. &c. wherein no W. &c. E.P. &c. And the maſter and mariners of euery of ꝑ ſaid Shippes &c. for euery ſuch offence to forfaite all their goodes, and to be impriſoned one whole yeere without baile or mainprize, And the owner of the ſaide Shippes &c. to forfaite to the Q. and I. &c. the ſaide Shippes, Crayers, and other veſſels, with all their apparels to them belonging, wherein the ſayd corne &c. ſhalbe ſo tranſported. 1. and 2. P. and M. 5. But no forfaiture of Shippe, Crayer or other veſſell, or of any apparell of the ſame, nor any other penaltie, ſhalbe extended againſt any owner of any Shippe, Crayer or other veſſel, for ꝑ tranſporting of any corne or other thinges aforeſaide, vnleſſe the ſame owner ſhalbe witting, No corne, Butter, Cheſe, Beere, Herring, Wood, ſhalbe tranſported without lycence.

knowing, aiding, or consenting to ỳ prohibited transporting. 5. El.

Sea fish transported.

But it is lawfull to any of the Queenes subiects to transport out of this Realme in the vessels of any subiects with crosse sayles euery kind of Herring and sea fish, to be taken vpon the seas by any of the said subiects. 5. El. 5. 13. El. 11. S. that in the foresaid statute of 1. & 2. P. & M. 5. the transporting of corne &c. for the vitailing and furniture of Calice, Hammes & Guynes, is accepted, the force whereof remaineth, but consider the meaning of the makers of the statute, and for the vse thereof, Quere &c.

Quere.

No corne &c. shalbe caried to any ship to be transported.

2 ¶ If any person doe carrie and conuey away by Boate, Crayer, or other vessell, or otherwise, any Wheate, Rie, Barly, Malt, or other corne or graine, or any Beere, Butter, Cheese, Herring, or Wood, to any ship or vessell being on the seas, or within any hauen, creeke, or other place of the border of this Realme, to be transported beyond the seas, or into Scotland, without sufficient authoritie so to doe, then euery owner of the said victuals, corne and other things aboue said so transported, and the owner of euery such boate, or vessell, and the boatemen and mariners of the same, shall forfeit and suffer all such paines & penalties as are aboue rehearsed, to the Q. and I. &c. to be rec. by A. I. &c. wherein no W. &c. E. P. &c. 1. & 2. P. & M. 5.

He that hath license to transport, carieth ouer more then is contained in his licence.

3 ¶ If any person shall obtaine of the Queene, her heires or successors, any licence to transport any corne, victuall, or wood beyonde the seas, if he or any other to whom he shall giue, graunt, or sell his said licence, shall carrie or cause to be carried any more corne, victuall, or wood, then shalbe contained in his said licence, he shal forfeit the treble value of the saide corne, victuall or wood, so transported without sufficient authoritie, and shall suffer imprisonment for a whole yeere without baile or mainprise in the common gaole, where he shalbe apprehended. 1. and 2. P. and M. 5.

He that hath licence to transport corne &c. shall lade it at one place.

4 ¶ No person that shall haue any such licence for transporting any corne, victuall, or wood, beyonde the seas, shall ship the same or any part thereof at sundry places within this Realme, but at one place certaine, vpon paine of forfaiture of the same, and all his goods and cattels, to the Q. and I. &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 1. and 2. P. and M. 5.

Vitailing of shippes.

5 ¶ This acte shall not extend to any persons for the necessarie victualling of any shippes or other vessels, neither shall it be preiudiciall to the lorde Admirall of England, for the time being, or to the Queenes iurisdiction of the admiraltie, but the said Admirall or his deputies shall vse and execute all kinde of iurisdiction belonging to the sea,

the ſea, according to his or their commiſſions. 1. & 2. P. & M. 5.

Euery perſon may tranſport Corne of theſe prices.

6 ¶ At all times, when the common price of corne within this Realme is, that Wheate ſhall not exceede the price of vi. s. viii. d. the quarter, and Rie iii. s. the quarter, & Barley iii. s. the quarter, it ſhall be lawful to euery perſon to carry ouer ẏ ſea, to any place, of ẏ ſaid kindes of corne, ſoẏ it be not to ẏ Queens enemies. 1. & 2. P. & M. 5. 3. Ed. 4. 2. And it ſhall be lawfull to all and euery perſon & perſons, being ſubiects of the Queene, her heires and ſucceſſors (onely out of ſuch ports or creekes, as by the Queenes proclamation ſhalbe appointed, and not elſe where) to lade, carry, or tranſport any Wheate, Rye, Barley, Malt, Peaſe, or Beanes, into any partes beyonde the ſeas, to ſel as a marchandize, in ſhips, craiers, or other veſſels, whereof any Engliſh borne ſubiect then ſhalbe the onely owners, ſo that the price of the ſaide corne &c. exceede not the prices hereafter following, at the times, Hauens and places, where & when the ſame ſhalbe ſhipped by. the quarter of Wheate, at x. s. the quarter, of Rye, Peaſe, or Beanes at viii. s. the quarter, of Barley, or Malt at vi. s. viii. d. 5. El. 5. to continue to the end of the next parliament.

Corne of theſe prices may be tranſported by the Queenes ſubiects &c.

Corne may be tranſported when ẏ prices be allowed reaſonable by the Lords Preſidents, or Juſtices of Aſſiſe or peace.

7 ¶ It ſhalbe lawful to al perſons, being ſubiects of ẏ Queene, her heires and ſucceſſors, and inhabiting within her dominions, (onely out of ſuch portes and creekes where are, or ſhalbe reſident a Cuſtomer or collector of ſubſidie, of Tonnage, and Pondage, or one of their deputies, and not els where) to loade, carry, or tranſport any Wheate, Rye, Barley, Malt, Peaſe, or Beanes into any partes beyond the ſeas, being in amitie with this Realme, and not prohibited by any reſtraint, or proclamation, onely to ſell as a merchandize in ſhips, craiers, or other veſſels bearing troſſe sayles, whereof any Engliſh borne ſubiects inhabiting within her highneſſe dominions, then ſhalbe the onely owners, at all ſuch times as the ſeuerall prices thereof ſhalbe ſo reaſonable in the ſeueral Counties, where any ſuch tranſportation ſhalbe intended, as ẏ no prohibitiõ ſhalbe made, either by the Queene, her heires or ſucceſſors by proclamation to be made in the ſhire towne or in any port townes of ẏ countie, or els by ſome order of the Lord Preſident, and Councell in the North, or the Lord Preſident, and Councell in Wales, within their ſeueral iuriſdictions, or of ẏ Juſtices of aſſiſes, at their ſeſſions in other ſhires out of the iuriſduction of the ſaide two Preſidents and Councels, or by the more part of the Juſtices of the peace of ẏ Countie at their quarter Seſſions in this maner folowing. That is, the ſaid lords Preſidents and Councels for the ſhires within their iuriſdictions, the Juſtices

of Assise at their seuerall Sessions (in other Shires out of the said iurisdictions, belonging to the saide Counsels in the North, and in Wales) yeerely shall vpon conference had with the Inhabitants of the Countrey of the cheapenesse and dearth of any the said kindes of graine within the Counties, within ỹ iurisdictions of ỹ saide Counsels, or in the other Countreys, within the limits of the said Justices of Assise, by their discretion determine whether it shalbe meete at any time to permit any graine to be carried out of the Realme, by any port within the said seuerall iurisdictions or limittes, and so shall in writing vnder their hands and seales make a determination, either for permission or prohibition, and the same cause to be by the Sherife of the Counties published and affixed in as many accustomed market townes and portes within the said Shire, as they shall thinke conuenient, & in such maner, as the Queenes proclamations are vsually published & affixed, which determination of the said Presidents and Councels in their iurisdictions, & of the Justices of Assise in their limits shall continue in force for the time, place, and maner therein expressed, vntill the said Presidents and Counsels shall otherwise order, or vntil the Justices of Assise, at their being in their said circuites, in euery of the said Counties shall alter, or otherwise order the same, except the same shall be otherwise in the meane time altered or countermaunded by the Queene, her heires, or successors, or by some order of the Justices of peace in the Counties scituate out of the iurisdictions of ỹ said two Counsels, in their quarter Sessions to be holden in the meane time, or the greater part of them which shall finde the same determination of the Justices of Assise to be hurtfull to the County by meanes of dearth, or to be a great hinderance to Tillage by meanes of to much cheapnes, & shall by their writings vnder their handes and seales, make any determination to the contrary, either for permission or prohibition of cariage of the kind of graine out of the Realme, and the same determination to cause in like maner to be published & affixed as aboue is saide, which determination shall also continue in force, except the same shalbe altered by the Queene, her heires and successors, or vntill the Justices of Assise at their being in their saide circuites in euery of the said Counties afore to them limitted, shall alter or otherwise order the same, who shal & may vpon new conference had, from time to time alter the said determinations in the whole, or in the part, as to their discretions shall seeme meete, & the same shall also cause to be published as is before prescribed: But neither any of the saide Presidents

and

and Counsels, nor the said Justices of Assise, nor the said Justices of peace, shal publish any their determinations aboue mencioned, vntil the same shalbe first by writing notified to the Q. or to her priuie Counsel, and by her Maiestie or her priuie Counsel shalbe liked and allowed. 13. El. 13.

No determination published without the Queene or her Councels assent.

8 ¶ The Queene, her heires and successors may at all times by her writ of Proclamation to be published generally in the whole Realme, or in the Counties of the Realme where any port townes are, commaund that no person shall by vertue of this acte transport any graine to any partes out of her dominions, either generally out of any port in the Realme, or particularly out of any speciall portes to be in the same proclamation named, and it shall not be lawful for any person to carry out any such graine, contrary to the tenor of the same proclamation, vpon such paines as by the lawes of the Realme are and haue bene prouided. 13. El. 13.

The Queene may restraine transporting of corne by proclamation.

9 ¶ Whosoeuer shal bring into any port, or place of this realme, any Wheate, Rie, or Barly, which is not growing within ẏ Queens dominions, at any time when ẏ quarter of Wheat doth not exceede the price of vi. s. viii. d. the quarter of Rie iiii. s. the quarter of Barley iii. s. within ẏ port or place, where such graine shalbe brought, shall forf. the said graine to the Q. and him that wil seise ẏ same, But this act extendeth not to any Wheat, Rie or Barley, taken by any of the Queenes liege people vpon ẏ sea, without fraud or couin. 3. Ed. 4. 2.

A restraint of bringing corne into this Realme.

10 ¶ If any person hauing sufficient corne for the prouision of his house & sowing of his ground for one yeere, doth buy any corne in any faire, or market, for the change of his seede, & doth not bring to the same faire or market, ẏ same day, so much corne as he shal buy for his seede, and sell it (if he can) as the price of corne then goeth in the said faire or market, Then euery such person so buying corne for seede, shall forfait double the value of the corne so bought, to the Q. and I. &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 14. 13. El. 25. For the custome of Corne transported, See Custome 4.

He that buieth corne for chāge of his seede, must bring in as much to the same market.

Corpus cum causa.

IF a Corpus cum causa, or Certiorari, be awarded to remoue the body of any person which is condempned in any of the Queenes Courts, and the cause into the Chauncery, the prisoner shalbe remaunded continually to remaine in prisō without being let to baile or mainprise, vntill he hath agreed with the plaintife for the summe adiudged. 1. R. 2. 12. 2. H. 5. 2.

2 ¶ He that sueth to defeate an execution vpon a statute staple, and thereupon commeth into the chauncery by Corpus cum causa, and there hath a Scire fac. against the partie, vpon that defeasance or such like, he shall finde suertie as well to the Queene, as to the partie severally, to yeelde his body, or pay the money, if the matters comprised in the Scire fac. be not found or adiudged for him. 11.H.6.10.

Corporations, Maiors, & head officers of the same.

No newe ordinances without consent of the Chauncellor, or Justices.

NO masters, wardens, and felowships of Crafts, or mysteries, nor any of them, nor any rulers of guildes or fraternities, shall take vpon them to make any actes or ordinances, ne to execute any by them heretofore made, in disheriting or diminucion of the prerogatiue of the Queene, nor of other, nor against the common profit of the people, but if the same actes or ordinances be examined and approued by ỹ Chauncellor, Treasorer of England, or chiefe Justice of eyther benches or three of them, or before both the Justices of assise in their circuites or progresse, in the shire where such actes or ordinances be made, vpon paine of forf. of xl.li. for euery time that they doe the contrary. 19.H.7.7.

No ordinance to restraine suite in the Queenes court.

2 ¶ None of the same bodies corporat, shall make any actes or ordinances to restraine any person to sue to the Queene, or to any of her courtes, for due remedie to be had in their causes, ne put ne execute any penaltie or punishment vpon any of them, for any such suite made, vpon paine of forfaiture of xl.li. for euery time that they do the contrary. 19.H.7.7.

None shalbe restrained to keepe shoppe.

3 ¶ No masters, wardens, or felowships of Craftes, nor any of them, nor any rulers of fraternities, guildes or brotherheads, shall compel or cause any prentice or iourneiman by oth or band, or otherwise, that he after his apprentishipp or terme expired, shall not set nor keepe any shop, house, or celler, nor occupie as a free man, without licence of ỹ master, wardens, or felowship of his occupation, in and concerning the same, vpon paine to forf. for euery time that they or any of them shall offend contrary to this act. xl.li. to the K. and J. &c. to be recouered by A. J. &c. wherein no E. P. &c. 28.H.8.5.

The fees for entrie of apprentice and freeman.

4 ¶ No master, wardens, or felowships of Craftes, nor any of them nor any rulers of fraternities &c. shall take of any apprentice or other person, for the entre of any prentice into their saide felowships aboue the summe of ii.s.vi.d. nor for his entry when his yeres and terme is expired aboue iii.s.iiii.d. vpon paine to forf. for euery time that they or any of them shall offend contrary to this acte xl.li.

to the

to the Q. and I. &c. to be recouered by A. I. &c. wherein no P. E. &c. 22. H. 8. 4. 28. H. 8. 5.

5 ¶ All and euery peculiar Act, order, rule & estatute heretofore made, or hereafter to be made by any founder, or founders of any Hospitall, Colledge, deanry, or other corporation at or vpon the foundation of the same, whereby the graunt, lease, gift or election of the gouernor or ruler of such Hospitall, Colledge, Deanry, or other corporation, with the assent of the more part of such of the same Hospitall &c. as haue or shall haue voyce of assent to the same, at the tyme of such grant, lease, gift, or election to be made, should be in any wise hindred or let by any one or moe being the lesser nomber of such corporation, contrarie to the course of the common lawe of this realme shalbe clerely voyde. And all othes heretofore taken, (vz. before the sayd statute made) by any person of such Hospitall, Colledge, Deanrie, and other corporation, shalbe for and concerning the obseruance of any such order, estatute or rule, deemed voyde. And no person of any such Hospitall, Colledge, Deanrie or other corporation, shalbe in any wise compelled to take any othe for the obseruing of any such order, estatute or rule, vpon the payne of euery person giuing such othe, to forfeite for euery time so offending v. li. to the Q. & I. &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. or other dilatorie plea shalbe allowed. 33. H. 8. 27.

In Corporations none shall haue a negatiue voyce.

6 ¶ All & singuler officers of euery Citie, Borough or Towne, where any Custome, Tolle, dueties or summes of money shalbe demaunded of any Alien borne made denizen, shall set vp, or cause to be set vp in open place & places of euery such Citie, Borough or towne, a table or tables by which the certaintie & very duetie of euery such custome &c. of wares to be demanded, may plainly appeare, to the intent that nothing be exacted otherwise then in old time hath bene vsed, vpon paine that euery citie not doing the same, shal lose v. li. and euery towne corporat xl. s. for euery moneth the same table shal faile to be set vp, to the Q. & I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. Prouided that the table set vp in London, touching Scauage within the same, shalbe first viewed, examined and approued by the Chauncellor and Treasorer of Englande, the President of the Queenes Counsel, the Lord priuie seale, the Lorde Steward of the Queenes houshold, and the ii. chiefe Iustices &c. for the time being, or by iiii. of them at the least, and by them subscribed. 22. H. 8. 8.

Officers shall set vp tables of all dueties.

The tables in London touching Scauage

7 ¶ If any conspiracie, couenant or promise be made by any societie, brotherhed, or cõpany of any craft or mystery of the Butchers, Byers,

Compactes made by vitaillers.

Bruers, Bakers, Pulters, Cookes, Costerdmongers, or Fruterers, that they shall not sell their vitailes but at certaine prices, with the presence or consent of the more part of thē, then immediatly vpō such cōspiracie &c. beside ẏ particular punishmēt appointed to ẏ offendor, their corporatiō shalbe dissolued to al intēts 2.E.6.15.S.Artificers.1

Apparel. 8 ¶ Maiors, Sherifes and Bailifes of Cities, Boroughes and Townes corporat in their courts, shall & may inquire, heare and determine all offences cōmitted within the limits of their iurisdiction, contrary to the statute prouided. 1.& 2.P.& M. for the reformation of excesse in Apparell, And where any forf. shall be found within the precinct of any City, Borough or Towne corporat, the Maior, sherifes & bailifes of the same shall haue the one halfe, & he that will sue in any court of record the other, And euery Maior, bailif &c. hath authoritie vpon the conuiction of euery such offendor, to award prices to the sherif of any shire for the apprehension of him, which being apprehended, shalbe committed by the sayd Sherife to the Gaole, there to remayne, vntil he hath payed the forfaite wherein he is conuicted. 1.& 2.P.& M.2.S.Apparel.17.18.

Apparel. 9 ¶ The Aldermen in their wardes may inquire of all offences and forf. committed contrary to the statute prouided. 24.H.8. for the reformation of excesse in apparel, and to assesse fines vpon the offendors according to the sayd statute. 24.H.8.13.S.Apparel.1.&c.

Arrowheads. 10 ¶ Maiors, sherifes and bailifes of cities and boroughes, have power to inquire within the same, of all false makers of Arrowheads and Quarels, & to punish them according to the statute in that case prouided. 7.H.4.7.S.Arrowheads.1.

Artificers. 11 ¶ Maiors and Bailifes at their courtes haue authoritie to enquire, heare, and determine al and singuler offences committed by vitailers, artificers, workemen, and laborers against the statutes in them prouided. 2.Ed.6. and to punish the offendors according to the tenour of the same stat. 2.Ed.6.15.S.Artificers.1.

The prices of Ale and beere. 12 ¶ In euery citie, borough and towne, where there be Maiors, sherifes or head officers, they haue authoritie to name and sette the prices of euery Barrel, Kilderkin, & Firkin of Ale and Beere & the ale and beere Bruers shal not sel their ale and beere at higher prices then shalbe assessed vnto them. 23.H.8.4.S.Bruers.2.

Souldiours. 13 ¶ Maiors, Bailifes, & other head officers of the port or place where any souldiour shal arriue (which hauing mustered and receiued the Queenes wages, doth depart frō his Captaine within his terme without licence) haue authoritie to arrest and keepe the same souldi-

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our vntil further inquirie (according to the order of the law) be made of his offence. 18.H.6.19.S.Captaines.3.

14 ¶ The prices of all Barrels, Kilderkins, firkins, & other vessels to be sold for Ale, beere, or sope, to be vttered therin, shalbe taxed by Maiors, Bailifes, and other head Officers of euery Citie, and Towne corporat, where any such vessels shalbe made or offred to be sold. 8.El.9.S.Cowpers.1. Barrels and Kilderkins.

15 ¶ The Maiors, Sherifs, Bailifes, Constables & other head Officers in such Cities, Boroughes and Townes, wherein no wardens of Cowpers be, haue auctoritie to search, viewe, and gauge al barrels, kilderkins, firkins and other vessels, that they be made and marked sufficiently, and containe the true and lawful rates and measures, & to marke euery vessel bearing the true content. And to take for searching and gauging of euery such vessel, q;. And they may retaine the vessell vntill they be satisfied thereof. And if they finde any vessel defectiue, not bearing the true contents, they may retaine the same, and cause it to be marked & amended or els to be burned. And the same auctority haue the Wardens of Cowpers within Londō, taking with them an Officer of ẏ Maiors, to search & marke all vessels within London, the suburbes, and ii. miles compasse of the Suburbes. 23.H.8.4.S.Cowpers.2. Marking of vessels.

16 ¶ All Maiors, Bailifes, & gouernors of Cities, Boroughs, Townes, Markets, & all other places of this realme, where there be Maiors, bailifes or gouernors, haue auctoritie to name & chuse discreet & expert persō or persons, daily to search & gauge al vessels of Salmon, Herring, & Eeles, that they be faithfully packed, & keepe their measure, & assise. 22.Ed.4.2.11.H.7.23.S.Fish.8.9.10.11. Vessels of Salmon, Herring, and Eeles.

17 ¶ The Maiors, shirifs, & bailifs of cities, boroughs, & townes corporat in their courtes, shal & may inquire, heare & determine, all & euery the offences cōmitted contrary to the stat. prouided. 13.El. for the continuāce of making of Cappes within ẏ limits of their iurisdictions, & where any forf. shalbe foūd within ẏ precinct of any citie, borough, or towne corporat, thē the Maiors, sherifs, bailifs shal haue the moitie thereof, & the other moitie shalbe distributed at the chiefe Rulers discretions, amongst the poore of the same citie, borough or towne corporat, where ẏ trespas shalbe foūde. 13.El.19.S.Hats.1.2. Cappes.

18 ¶ It is lawful to the Maister & wardens of the Company of Haberdashers within London, calling to them one of the Company of Cappers, & another of the makers of Hattes, as oftē as need shall require, within the sayd citie, or iii. miles cōpas of the same, to search all Cappers, Hatters.

all Cappers and makers of hats and the offendors, and defaultes by them founde, to correct and punish, as in like cases they doe other offendors and defaults within the sayd Company. And it is lawful to all Maiors, Bailifes, and other head Officers in all other Cities and Townes corporat, to do the like. 8. El. 11. S. Hattes. 4.

Labourers seruants. 19 ¶ For the aucthority & duetie of euery Maior, Bailif, or other head Officer of any citie, borough or towne corporat, cõcerning the wages, order, direction, & reformation of Laborers, Artificers, seruants & apprentices, within the limits of their Jurisdiction, by force of the statute therfore prouided. 5. El. 4. S. Laborers &c. and Iustices of peace. 66. 67. 68. And all amercements, fines, issues, & forf. which shal grow by reason of any offences mẽcioned in the sayd stat. or any branch thereof, within any citie or towne corporat, shalbe leuied & receiued by such persons of the same citie or towne, as shall be appointed by the Maior or other head Officers thereof, to the vse or maintenance of the same Citie or Towne, in such case as other amercements, issues &c. haue bene vsed to be leuyed & imployed within the same by reason of any graunt or Charter from the Queene or other Progenitors granted to the same citie or towne. 5. El. 4.

Tanners. 20 ¶ The Maior of London within the sayd Citie, & within 7 miles compasse therof, & all other Maiors, Bailifs, & other head Officers of Cities, Boroughes, & Townes within their seuerall iurisdictions, shal inquire, heare & determine all offences committed contrary to the Statute prouided 5. El. touching Tanners, Curriers, Shomakers, and other artificers occupying the cutting of Leather, and also shal by their discretions, examine al persons suspected to offend the sayd act, or any parcel therof, and the third part of all penalties of summes of money forf. by the sayd act, in any Citie, borough or towne, shal go to the said citie, borough or town, where the offence shalbe committed. 5. El. 8. S. Lether.

Liueries Retainors. 21 ¶ The Maior, Sherife, Bailife, or other chiefe Officer in euery Citie, Borough, Towne and port within this Realme, haue power to heare and determine personall pleas in the Court holden before them or any of them, within any such Citie, Towne, &c. by auctheritie to receyue information of any persons, which shall give any liuery or Badge, or retayne any other then his meniall seruant, officer, or learned man in the one lawe or other, by writing, oth or promise, and of any person which shall be so retayned, and to hear and determine aswell by examination, as by tryall, all things done cõcerning the same, by or to the inhabitãts within the iurisdiction of

the same Court. And to put the statute for those offences prouided, in execution, and the Queene shal haue the one moitie of all penalties forf. by the said statute. And the Informer, & chiefe Officer of such citie, borough &c. shal haue the other, equally to be diuided betwixt thē. And the sayd chiefe Officers part, shall be imployed to the vse of the sayd Citie, Borough &c. 8. Ed. 4. 2. S. Liueries 5.

22 ¶ All & singuler Maiors, Bailifs, & Iustices of peace, within any Citie, Borough or Towne corporat, in any partes within this Realme within the limites of their Commission, haue auctoritie to enquire of all Offendors against Preachers and other Ministers of the church, and to heare and determine the same, and to set fines and amercements of the sayd offendors, as in the statute therefore prouided is limited. 1. M. 3. S. Preachers. 1. 2. Preachers.

23 ¶ All Maiors, Bailifes, Sheriffes, and other head Officers shall cause the statute prouided against vnlawfull games, and for the maintenance of Artillery, to be openly proclaimed once euery quarter of a yere in euery market, holden within their seuerall iurisdictions. 33. H. 8. 9. Vnlawfull games.

24 ¶ Maiors, Sheriffs, Bailifs, & other head officers in Cities & Townes corporat, in their Courts within the limits of their auctorities, haue power to enquire, heare & determine all & singuler offences done in the land, or within any hauen or pere, contrary to the statute made 5. El. (touching certaine politique constitutions for the maintenance of the Nauy,) & if any person shall be presented before them, within the limits of their auctoritie, or any information giuē to them of any offendor of the said act: Then they haue auctoritie thereupon to make proces against ỳ offendor, as is cōmonly vsed upō indictments of Trespas, & if any be presented & afterward cōuicted by cōfession or otherwise, thē he shal suffer no lesse forf. or punishmēt, then in the sayd act is limitted, for the leuying of which forf. the sayd Maiors & other head Officers, within ỳ limits of their auctoritie, haue power to make such Proces, as they shall thinke good by their discretions: But the information at the parties suite shall be within halfe a yere, & the information or presentment at the Queenes suite, shall be within one yere after the offence committed, or els the same shall not bee of effect to put the partie to answere or losse. 5. El. 5. S. Fish dayes. Hempe and Flaxe, 2. Shippes, 1. 2. 3. 4. 5. Maynteinance of the Nauy.

25 ¶ Maiors, Sheriffs, & Bailifes of Cities, haue auctoritie to inquire, heare & determine of al & singuler offences cōmitted cōtrary to the stat. prouided. 37. H. 8. against Usury. 13. El. 8. S. Vsurie. Vsurie.

26 ¶ All

Wines. 26 ¶ All Maiors, sherifs, bailifs & other head officers in Cities, Boroughes, and Townes corporat, within the limits of their Commissions, aswell within franchise as without, haue auctoritie to examine, heare, inquire & determine the defaults of such as shal attempt to sell any wines in grosse or by retayle, contrary to the statute prouided. 28. H. 8. and to punish the Offendors, by imprysonment or otherwise by their discretions. 28. H. 8. 14. S. Wines. 1. 2.

Searching & marking of bowstaues. 27 ¶ Maiors, Sherifs, Bailifs, or chiefe gouernors of such Cities or Townes, where any Carracke, galley or shippe shal come to safe port, of any Marchants strãgers, their factors, atturneys, or seruants, shal search, or suruey the Bowstaues brought, sent, or cõueied into this realme by the said Marchãts &c. And shal assigne ii. expert men to search the said staues, which ii. men shalbe sworne by the said Maior &c. that they shal truely & indifferently marke the staues that be not good and sufficient, that all the Queenes people may haue knowledge of them. 12. Ed. 4. 2. 13. El. 14. S. Bowes. 1.

Riding armed. 28 ¶ Maiors and Bailifs of Cities & boroughs within the same cities and boroughes, haue power to make execution of the statute of Northampton, prouided 2. Ed. 3. against those which shall goe or ride Armed. 2. Ed. 3. 4. 20. R. 2. 1. S. Armour. 10.

Free election. 29 ¶ No great man or any other by strength or threats shall disturbe or hinder free election to be made. West. 1. 3. E. 1. 5. But when any dignitie is voyde, they which haue the election, shall freely without threats of any secular power, intreatie or oppression procure their election. Artic. Cleri. 9. Ed. 2. 14.

Newes. 1 That the Maior & chiefe officers of Cities & corporat Townes which may keepe Sessions as Iustices of peace, may commit to prison any person vehemently suspected of any of the offences of speking &c. false newes against the Queene, and examine & determine the same offence. S. Iustices of peace. 21.

Poore people. 2 What Maiors or other head Officers shall or may doe for the placing, prouision, reliefe, reforming, or punishing of poore persons within the limits of their auctoritie. S. Poore people &c. And what

Vagabonds. for the punishment of Vagabondes and sturdie beggers. S. Vagabonds &c.

Vnlawfull games. 3 For the auctoritie of Maiors & other head Officers, concerning the restrayning of vnlawful games within their iurisdiction, & the punishment of the Offendors. S. Plaies &c. 5. 6.

Priuat offences. 4 Where any Corporation or Companie, or the head Officers of the same, shall make forfaite or be punished for any particular

person

persons offence.S.Lether.26.30.Draperie.35.46.Gold.12.

5 That it is Mortmain for the chiefe Officer of a corporat Towne,to purchase any lande to the vse of the corporation.S.Mortmain.4. Mortmain.

6 That the Maiors and other head Officers shall appoynt expert men,to search and seale Lether.S.Lether.22.23.25. Searchers of Lether.

7 That Maiors and head Officers of corporat Townes, shall appoynt certaine to search and seale Cloth.S.Drapery.33.34. Cloth serched.

8 Hovve the chiefe Officer of any citie or tovvne, shall vse faultie cloth presented vnto him.S.Draperie.31. Faulty Cloth.

9 That a Maior or head Officer shall receyue the names of those which shoote in gunnes, and cause them to be recorded. See Gunnes.11. Gunnes.

10 By vvhat name the Physicions in London bee incorporat, vvhat Priuiledges they haue, and vvhat they may doe, and that all Maiors and other Officers shall assist them. S.Physicions. 1. 4.5.7.10. Physicions.

11 That the Maior & Wardens of the Sheremen of London may search the workmanship of Fustians and Clothes.S.Fustians.1, Fustians.

12 What the Wardens of Goldsmiths shal forfaite,if any worke by them touched and allowed for good, be after found deceiptfull, S.Gold.12, Goldsmithes.

13 That the Maior or chiefe Officer of any Citie & Towne,may search al Oyles brought into the same to be sold,destroy that which is faultie and punish the offendors.S.Oyle.1.2. Oyle.

14 That the Wardens & searchers of Couerlets within Yorke, may search in all Faires, from Trent Northwarde, for all Couerlets made within the Countie of Yorke.S.Couerlets.3. Couerlets.

15 That the Maior,Recorder &c. of Norwich, shall admit those which shall make Hats, Couerlets, & Dornikes within the Countie of Norf.and take nothing therefore.S.Couerlets.5.Hats.3. Hats,Couerlets,Dornikes

16 That the head Officers of corporat Townes,may appoint expert men to search vessell of pewter and brasse. S. Pewterers. 5.6.7. Pewter,brasse

17 What apparell Magistrates in corporat Townes may weare, S.Apparell.16.17. Apparell.

18 That a common Officer in a corporat Towne,shalbe no Customer.S.Custome.20. A commō officer no customer.

19 That the head Officers of Cities & Townes, shall arrest the Cators of Noble men and others, which take any thing from any man without the owners good will.S.Purueiors.1. Cators.

20 That

Vniformity of cõmon prayer. 20 That head Officers of cities & corporat townes may inquire of the offences prohibited by the ſtatute made for the vniformitie of common Prayer. S. Sacraments. 7.

Riots, routes, &c. 21 How Riots, Routs & Aſſemblies made in Cities & corporat Townes, which haue Iuſtices of peace, ſhall be inquired of and repreſſed. S. Riots. 13.

Vnlawfull aſſemblies. 22 For all the duetie of Maiors & other head Officers of Cities & Townes corporat, concerning the executing of the ſtatute prouided againſt vnlawfull & rebellious Aſſemblies. S. Riots. 16. 17. 20 21. 24. 25. 26.

Abiurations. 23 That Maiors, Bailifs &c. ſhalbe attendant vpon the Coroner, at the executing of an Abiured perſon. S. Sanctuary. 4.

Vitailers. 24 That Maiors, Bailifes &c. of cities and boroughes, may order, reforme and puniſh Vitailers. S. Vitailers. 1. 4. 7.

Vitailes. 25 How the prices of vitailes ſhalbe aſſeſſed when any vitailers are choſen to beare Office in any corporat Towne. S. Vitailes. 9.

Waights, Meaſures. 26 For the auctoritie of the head Officers of corporat townes in keeping, marking, viewing & examining of waights & meaſures. S. Waights. 7. 8. 10. 11.

Wintners. 27 That the head Officers of corporat Townes, ſhall haue the moitie of the forfaitures of thoſe which ſell wine in groſſe, contrary to the prices aſſeſſed &c. S. Wines. 2.

Wines. 28 That head Officers of corporat Townes, may enter into a Marchants houſe which denieth to ſel wine at the price aſſeſſed &c. and ſell and deliuer the ſame. S. Wines. 4.

Wynes. 29 That none ſhall ſell wines in townes corporat, but by the aſſignement of the head Officers thereof. S. Wines. 9.

Wynes. 30 That head Officers of corporat Townes haue auctoritie to aſſay wines, and powre out the corrupt. S. Wines. 15.

Muſters. 31 Where and before whome inhabitants in corporat Townes ſhalbe charged to appeare at muſters. S. Captaines. 15.

Vnion. 32 That there ſhall be no vnion of any Church in a corporat Towne without the aſſent of the Maior and comminaltie &c. S. Eccleſiaſt. 32.

Scauage. 34 That no head Officer of a corporat Towne, ſhall take Scauage, or Shewage of a Marchant for merchandiſes cuſtomed &c. S. Marchants. 2.

Parliament. 35 For the duetie of head Officers of corporat Townes, about the electing and returning of Burgeſſes of the Parliament. S. Parliament. 5. 6.

36 That the head Officers of a corporat Towne, may take out of Sanctuarie an abiured perſon cõmitting felony. S. Sanctuarie. 9. Abiured perſõ.

37 For the force of recoueries, deedes inrolled, or releaſes in certaine corporat Townes. S. VVomen. 5. Recoueries.

Coroners.

Who ſhalbe coroners, and by whom & where they ſhalbe choſen.

ALl Coroners of Shires ſhalbe choſen in the full Counties, by the commons of the ſame Counties, of the moſt meet and worthy people, which may be found in the ſame Counties to execute the ſaid Offices, and of the moſt ſage and wiſe Knights which doe beſt know, can, and wil attend vnto the ſame Office, and which wil lawfully attach, and preſent the pleas of the Coron. 3. Ed. 1. 10. Always ſauing to the Queene and other Lords which ought to appoint ſuch Coroners their franchiſes. 28. Ed. 3. 6. But no Coroner ſhalbe choſen, if he haue not ſufficient land in fee in the ſame Countie, whereof he may anſwere all people. 14. Ed. 3. 8.

Of what things Coroners ſhall inquire.

2 ¶ If any Coroners be aduertiſed by the Queenes Bailifes, or other honeſt men of the Countrey, to come to thoſe that be ſlaine, ſuddeinly dead or woũded, or to houſe breakers, or to any place where treaſure is found, they ſhall immediatly come, and forthwith commaund iiii. v. or vi. of ẏ next Townes, that they appeare before them in ſuch a place, and when they come, the Coroners vpon their oth ſhall inquire, if they did know of the man that was killed, where he was firſt ſlaine, vz. whether in the field, in the houſe, bed, Tauerne, or in any company, and who were there. 3. Ed. 1. Murder.

Enquirie of the offendors.

3 ¶ Likewiſe they ſhal inquire who were culpable, either of the act or force, and who were preſent, either men or women, & of what age they be, ſo they can ſpeake and haue diſcretion: And they which be found giltie by Inquiſicion in the foreſaid maner, ſhalbe taken, deliuered to the Sherife and committed to the gaole, and as many of them as be not found guiltie ſhalbe attached, vntill the comming of the Iuſtices, and their names inrolled. 3. Ed. 1.

Men found ſlaine.

4 ¶ If any man be ſuddenly ſlaine, and found in the fieldes or woods, it is to be conſidered whether he were ſlayn there or not, if he were brought thither, their ſteppes that brought him (if it may be) ſhalbe followed, and ſo ſhall the tracke of horſe and cart &c. And alſo it ſhalbe inquired, if he that were ſlaine were knowen or vnknowen, and where he lodged the night before. And if any be found guiltie of the death of ſuch, immediatly the Coroners ſhal come to his houſe, and inquire what cattel he hath, and what corne in his grang, & what on the ground, and if he be a free man, what free land he hath, & what

it is worth by the yere, beside the Lord of the fees seruice, but ꝑ land shall remaine in the Queenes handes, vntil the Lord of the fee hath made a fine for it: And when they haue inquired of all thinges, then they shall cause them to be priced, as if they should straightway be sold, and then the body of him that is dead shalbe buried. 3. Ed. 1.

Suddenly slaine.

5 ¶ Moreouer the Coroners shall inquire of them which be drowned, suddenly slaine, or stranguled, by the signe of some hurt found vpon their bodies, or some other manifest token, and shall attache the finders and al other in their company. 3. Ed. 1.

Treasure trouue

6 ¶ A Coroner ought to inquire of Treasure that is found, who were the finders, and who are suspected thereof, which may be gathered by some mãs delicat liuing, & frequenting of Tauerns which (vpon suspicion) shal be attached by iiii. vi. or moe pledges. 3. Ed. 1.

Rape.

7 ¶ If any be appealed of Rape, he shalbe attached by iiii. or vi. pledges, if the appeale be fresh, and the signe of trueth apparent, as an open outcrie leuied: But if it be without any manifest token or outcrie, ii. pledges shal suffice. 3. Ed. 1.

Mayhem or wounding.

8 ¶ Upon appeale of maihem, if the woundes be mortall, they which be appealed shall forthwith be apprehended, and kept vntill it be knowen, whether he that is hurt shal recouer or not: if he die, they shalbe retained, if he liue, they shalbe attached by iiii. or vi. pledges, according to the bignes of the wound: if it be for a maihem, then there shalbe no lesse then iiii. pledges, if a smal wound, ii. wil serue. 3. Ed. 1.

The length, bredth & deepenes of woũds.

9 ¶ The length, breadth, and deepenesse of all wounds, ought to be viewed, and with what weapons, and in what part of the body the partie was hurt, and also how many wounds there be, how many be culpable, and who gaue the wound, all which thinges shalbe inrolled in the Coroners roll. 3. Ed. 1.

Deodandes.

10 ¶ Horses, Boates, Cartes, commonly called Deodandes whereby any person shall perish, shalbe valued and deliuered to the whole Townelhip, which shalbe answerable therefore. 3. Ed. 1.

Wreck of Sea.

11 ¶ Whosoeuer layeth handes vpon the wrecke of the Sea, shalbe attached by sufficient pledges, the price of the wrecke shalbe valued, and deliuered to the Towne to answere, &c. Officium coronatoris. 3. Ed. 1. S. VVreck. 2.

Coroners shall inquire and certifie at ꝑ gaole deliuerie.

12 ¶ If any Coroner be remisse in viewing of a dead body murdered or slaine, and doe not inquire of them that haue done the murder or death, of their Abbettors and Consentors, who were present thereat, and their names, or so found doe not inroll, certifie, and deliuer his inquisition to the Justices of the next goale deliuerie in the

Shire,

Shire, where the inquisition is taken, that ꝑ same Justices may proceed against such murderers, if they be in the Gaole, or els certifie the inquisition into the Kings bench, the said Cozoner shall forfait to the Queene foz euery offence v. li. 3.H.7.1.

Enquirie of escape of ꝑ murderer.

13 ¶ The Cozoner vpon ꝑ view of the dead body, may enquire of the Escape of the murderer, foz if he do the murder in the day and escape, the Towne shalbe amerced. 3.H.7.1.

Recording euidence and binding parties to giue it at the goale deliuery.

14 ¶ Euery Cozoner vpon any Inquisition before him found, whereby any person shalbe indicted foz murder oz manslaughter, oz as accessarie to the same before the murder oz manslaughter committed, shal put in wryting the effect of the euidence giuen to the Jurie before him, being material. And he hath authozitie to bind al such by recognisance oz obligation, as doe declare any thing material to proue ꝑ said murder oz manslaughter, oz to be accessarie to the same, to appeare at the next generall Gaole deliuery to be holden within the Countie, Citie, oz Towne corporat, where the triall thereof shalbe, then and there to giue euidence against the partie so indicted at the time of his trial, and shall certifie aswel the same euidence, as such bonds in writing which he shall take, together with the inquisition oz indictment before him taken & found, at oz before the time of his said trial to be made. And if any Cozoner shall offend in any thing to the contrary, Then the Justices of Gaole deliuerie of the Shire, Citie, Towne, oz place where such offence shalbe committed, vpon due proofe thereof by examinatiõ before them, shal foz euery such offence, set such fine on such Cozoner, as they shal thinke meete. 1, and 2.P. and M.13.

A Cozoner shal come to take abiuration.

15 ¶ If the Cozoner of the shire oz place, where any person shal take any refuge oz Sanctuarie in any Churches, oz Churchyardes, Cathedral Church, Hospitals, Churches collegiat, Chappels dedicat, commonly vsed as Parish Churches, oz any Cemiteries to any of them belonging, vpon reasonable request made, do refuse to come in conuenient time, vnto such person being in sanctuarie, there to take his confession and abiuration, according to the lawes of this Realme, then the said Cozoner foz euery such defaut shal forfait C.s. to the Queene. 32.H.8.12. S.Sanctuarie.3.4.

No fee where any person is slaine by misaduenture.

16 ¶ A Cozoner, which vpon request to him made, to come and inquire vpon ꝑ view of any person slaine, drowned, oz otherwise dead by misaduenture, doeth not his Office diligently vpon the viewe of such body, without any thing therefoze taking, shal forfait xl.s.3.Ed. 1.10. 1.Hen. 8.7. But a Cozoner shall haue foz his fee vpon euery

The Coroners fee where any person is murdered.

inquisicion taken vpon the viewe of a body slaine xiii. s. iiii. d. of the goods and cattels of the murderer, if he haue any: And if he haue no goods, the Coroner shall haue his fee of such amercements, as any Townеship shalbe amerced for escape of such murderer. 3. H. 7. 1.

The Sherife shal haue courterrolles with the Coroner.

17 ¶ The Sherife shal haue counter roules with the Coroner, aswel of Appeales as of Enquests, of Attachments, and other things which do belong to this Office. West. 1. 3. Ed. 1. 10. But no Sherife, Constable, Escheiour, Coroner, or any other Bailiffe of the Queenes, shal hold pleas of the Crowne, Magna Charta. 9. H. 3. 17.

Who ought to appeare vpon an inquisition of a mās death

18 ¶ Vpon an inquisicion to be made by the Coroner of ỹ death of a man, euery one of the age of xii. yeres, ought to appeare, except they haue a reasonable excuse of their absence. Marleb. 52. H. 3. 24.

Enquirie within the Verge.

19 ¶ If the death of a man (where ỹ Coroners office is to make view and enquest) doeth chaunce in any County where the Queenes house is, & within the verge, the Coroner of the same Countie shalbe commanded with the Coroner of the Queenes house, to execute his office, and to inroll it. And that thing which cannot be determined before the Steward, shal be remitted to the common law, so that exigents, outlawries, and presentments shalbe thereupon made to the Justices in their circuites, by the Coroner of the Countie, aswell as of other felonies done out of the verge. 28. Ed. 1. 3. But all Inquisitions vpon the view of persons slaine within any of the Queenes palaces or houses, or any other house, at such time as her Maiestie shalbe abiding in her royal person, shalbe taken by the Coroner of the houshold of ỹ Queene, or her heires, without adioyning of any other Coroner of any shire, by the othes of xii. or more of the yeomen officers of the Queenes &c. houshold, returned by ỹ two Clerks Comptrollers, the clerke of the Checke, Clerkes Marshall, or one of them for the time being, of the foresaid houshold, to whom the said Coroner shal direct his precept, which Coroner, &c. shalbe assigned by the Lord Steward, for the time being. And the said Coroner shal from time to time for euer without delay certify vnder his seale, and the seales of such persons as shalbe so sworne before him, all such inquisitions, indictments, and offices vpon the viewe of all dead bodies which shalbe slaine within any of the Queenes palaces or houses, or other house aforesaid before the said Lord Steward, and in his absence, before the Treasorer, Comptroller & Steward of the Marshalsy, or before two of them, whereof the said steward of the Marshalsy to be one, and such inquisitions and offices so certified, shalbe taken as good to all intents, as any inquisition taken vpon the view

Enquiry within the Queenes house.

of the

of the body of any person being dead, by any Coroner of any County of this Realme hath bene, or shalbe adiudged. 33.H.8.12. 27.H. 8.24. 32.H.8.20. S.Fighting.1.

20 ¶ Two head Coroners for the body of the shire of Chelshire, shalbe elected by vertue of the Queenes writ de Coronatore eligendo, to be awarded out of the Eschequer at Chester, which Coroners shalbe bound to sit with the sherife at the shire Courts, to giue iudgements vpon outlawries, and to doe all other things that appertaineth. 33.Hen.8.13. Coroners of Chelshire.

1 What euery Coroner which shalbe absent from the assessing of the wages of the knights of the shire, shal forfait, S.Parliament.12.

2 What Coroners shall forfait if they do conceale, or will not arrest felons, when they may, S Felonie.34.

3 Where the Coroners shall impanell any Iurie, of what sufficiencie the Iurors shalbe, what issues they shal returne vpon them, and vpon what paine. S Riots.7.

Cosinage.

IN writtes of Cosinage Aiel and Besail, the which be of the same nature that an assise of Mortdaunceſtor is, the same answere shalbe allowed for the tenaunt, that the Iustices did allowe him at the Common lawe in an assise of Mortdaunceſtor, vz. that the plaintife is not next heire of the Aunceſtor, by whose death ẏ land is demaunded, and that shalbe inquired of by the assise, and according to the Inquisition iudgement shalbe giuen. West.2. 13.Ed.1.20.

Couerlets.

NO person dwelling within the County of Yorke, or nigh vnto the same, shal make any Couerlets or Couerings to put to sale vnlesse such person be inhabiting within the City of Yorke, or within the suburbs of the same, vpon paine of forfaiture of the same, or the value thereof. 34.H.8.10. Sale of Couerlets in Yorkeshire.

2 ¶ No person of the occupation of the handycrafts men of couerlet makers dwelling within the said City of Yorke, or the suburbes of the same, or elſe where within the said County, shall vse the craft of hauking abyde in ẏ Countrie, to villages and mens houses, or goe as haukers, or put to sale any Couerlets in any other place, out of the said Citie and liberties thereof, but onely in the open markets and faires vpon paine of forfaiture of the same couerlets, or the value thereof. 34.H.8.10. No couerlet-maker in Yorkeshire shall go abroad.

The wardens shal make serch for al Couerlets not wel wrought or wanting lawful assise.

The Assise of Couerlets.

3 ¶ The wardens and searchers of the occupation of Couerlet makers within Yorke, and their successours, haue power to make serch in all faires and markets from Trent Northward within this Realme, for all such Couerlets as shalbe put to sale not being well wrought, and made of sufficient stuffe, or not containing the assise accustomed (vz. the best sort ought to containe in length iii. yardes, and in bredth ii. yardes and a quarter: the second sort should containe in length iii. yardes, and in bredth ii. yardes: And the lowest or third sort should containe two yardes and a halfe in length, and in bredth one yard and three quarters.) And to seise and take the same as forfaited. 34. H. 8. 10.

Making of couerlets for their owne or Lords vse.

4 ¶ But it shalbe lawfull to euery person dwelling within the Countie of Yorke, to make Couerlets of what assise or stuffe they wil, for their owne vse, or store of their households, or for their Lordes to whom they be tenantes, so that the same shall not be put to sale. 34. Hen. 8. 10.

Couerlets and Dornicks in Norwiche.

5 ¶ Whosoeuer doeth weaue any Couerlets, or Dornicks, or occupy the mysterie thereof, within the City of Norwich or County of Norff. vnlesse he be admitted so to doe, by the Maior, Recorder, Steward, and two Justices of the said citie, or foure of them, or hath bene apprentice to the said occupation of Couerlets, or Dornicks making, which he doth occupy by the space of seuen yeres, or doeth make any Couerlets or Dornicks, or doeth occupy any of the said mysteries in any place out of the citie of Norwich in the County of Norff. but onely in a corporat or market towne, and in Pelham, shall forfait iii. s. iiii. d for euery Couerlet, and vi. s. viii. d. for vi. yardes of Dornicks made to the contrary, And the Maior, Recorder, Steward, and Justice which taketh any thing to admit any man to occupy, shall forfait for euery offence v. li. 5. Ed. 6. 24.

Counterfait letters and tokens.

WHosoeuer shal falsely and deceitfully, get into his possession any money, goods, or other thinges of any other persons, by colour of a priuie token, or counterfait letter, made in any other mans name, and that be proued by confession, or examination of witnesse, taken before the Lord Chancellor, the Queenes counsell in the Starre Chamber, the Justices of assise in their circuites, the Justices of peace in their generall Sessions, the Justices of any citie or towne corporat, or by accion in any of the Queenes Courtes of record: shall haue such correction by imprisonment of his body, setting

vpon the pillory, or otherwise by any corporal paine (except death) as shalbe vnto him adiudged, by the persons before whom he shalbe cõuicted, and besides the party greeued shall haue such remedy by accion or otherwise for the same money, goods &c. as he might haue had, if this act had neuer bene made. 33.H.8.1. S. Iustices of peace. 54.

Cowpers.

Iustices and head officers may set prices of vessels.

IF any Cowper do sell any Barrels, kilderkins, firkins, or other vessels, for Ale, Beere, or Sope to be vttered therein, aboue such prices which shalbe assessed by the Iustices of the peace of the shire in their Sessions, or by the Maior, Baylife &c. of the citie, borough or towne corporat, where the said vessels shalbe made or offered to be sold after proclamation thereof made, he shal forfait for euery vessell sold at a greater price, iii. s. iiii. d. to the Q. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 8. El. 9.

The contents of Ale & Beere vessels.

2 ¶ Euery Cowper shal make his vessels for Beere and Ale, of good and seasonable wood, and shal make a Beere barrel to contain xxxvi. gallons, a kilderkin for Beere, xviii, a firkin for Beere, ix. a barrel for Ale, xxxii. a kilderkin for Ale, xvi. a firkin for Ale, viii. gallons, of the Queenes Standerd, or els he shall forfait for euery vessel so not made, xii. d. to the Q. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. And no Cowper shall make any vessell for Beere or Ale, to be sold, of any greater or lesser number of gallons then is aforesaid, vnlesse he shal cause to be marked vpon euery such vessel ỹ certaine number of as many gallons as it shal containe, that euery person may knowe the content. And if he marke not his vessel with his owne marke, he shal forfait. iii. s. iiii. d. 23. H. 8. 4.

Diminishing of vessels.

3 ¶ Whosoeuer doth diminish any barrel, kilderkin or firkin, to the disceipt of any other, by taking out the head, or any staffe from such vessel, shall forfait iii. s. iiii. d. be punished at the discretion of the head officer, before whom the default shalbe presented, and the vessel shalbe burned. 23. H. 8. 4.

1 That no Ale or Beere Bruer shal occupie the mysterie of Cowpers. S. Bruers. 1.

Countie or shire court.

County courts shalbe kept Monthly.

NO county court shalbe lõger deferred, but from one moneth to another, & the said court shalbe kept euery moneth, & none other wise. 2. Ed. 6. 25. And in like sort shal the County courtes in the xii. shires in Wales, and in the county of Monmouth, be kept. 34. H. 8.

2 ¶ The sherife of the county of Northumberland shal keepe the

In what townes the shire Courts of seueral shires shalbe kept.

Countie court of that shire in the towne or castle of Alnewike and in none other place. 2. Ed. 6. 25. The shire court for the shire of Sussex, shalbe kept one time at Chichester, and an other time at Lewes, alternis vicibus for euer. And if any shire court be holden to the contrary, all thinges therein done shalbe voyd. 19. H. 7. 24. The sherife of the Countie of Chester is bound to keepe his shire court in the shire hall of the said County. 33. Hen. 8. 13. And the sherifes shire Courtes in Wales of the Countie of Brecknoke, shalbe holden at Brecknoke, of Radnor, at new Radnor, & Preston, Of Mountgomery, at Mountgomery and Maghenleth, Of Denbigh, at Denbigh, and Wrixham, Of Monmouth, at Monmouth and Newport, alternis vicibus. Anno 27. H. 8. 26.

Wales.

Crowes, Rookes, Choughes.

Euery towne shal haue a Crowe net.

IF the inhabitants of any parish, towneship, hamlet, Borough, or village, wherein there be x. housholds inhabited at the least, do not prouide a net to take Crowes, Choughs, and Rookes with al thinges requisit, or belonging to the same, and keepe and renue the said net as often as neede shalbe, and with a Shape made of Chaffe, or other meete thing, lay the same at such time and place as is conuenient for the destruction of such Crowes, &c. they shall forfait x. s. to the Queene and Lord of the court, leete, lawday, or rape, where such net shalbe lacking, and not made and put in execution according to this act, to be leuyed of the tenants and inhabitants of the said parish, towneship, &c. where such net shalbe lacking, and not put in execution. 24. H. 8. 10. 8. El. 15.

Money leuied for the destruction of vermin.

2 ¶ The Churchwardens and 6. other parishoners by them requested, shall yerely assesse euery person hauing the possession of any lands or tithes within their parishes, to pay such summe of money as they shall thinke meet according to the quantitie and porcion of the land or tithes, which they haue or hold, And a bill indented of the summes so sessed with the forfaitures (if any be) shalbe deliuered by the Churchwardens to two persons of the same parish, which shalbe appointed distributors of the prouision for ỹ destruction of Crowes, and other noyfull fowles and vermin. And if any person do not pay the summe of money so taxed, within xiiii. dayes after request made by ỹ Churchwardens, or one of them, he shal forfait v. s. which (with the money taxed) shalbe leuied by distresse of the goods of such person refusing, which distres shalbe vsed in such maner as distresses taken for amerciaments in any Leetes. 8. El. 15.

Distributors.

3 ¶

3 If any of the Churchwardens, vi. persons, or ii. distributors shall refuse, or make default in execution of this act, or anye parte thereof, he shall forf. v.li. to the Q. & I. (vsing tillage yerely win the same shire) to be rec. by A.I.&c. wherin no W.&c. E.P.&c. 8.El.15 Officers refusing to doe their dueties.

4 The distributors shall pay of the money so to them deliuered, to euery person that shall bring to them iii. heads of any olde crowes, choughes, pyes, or rookes, taken within their seuerall parishes, i.d. for the heads of vi. yong of any of them i.d. for euery vi. eggs of any of them vnbroken. i.d. for twelue Stares heads i.d. for euery head of Merten Hawkes, Furlekite, Moldkite, Bussard, Schagge, Carmerant, or Ringtaile, ii.d. and for euery two egges of them i.d. for euery Iron, or Dspayes head iiii.d. for the head of euery Woodwal, Pie, Iay, Rauen, or kyte, i.d. for the head of euery bird called the kings fisher. i.d. for the head of euery Bulfynch or other bird that deuoureth the blouth of fruite i.d. for the head of euery Fox or Graye xii.d. And for the head of euery Fitchew, Polcat, wesel, Stote, faire Bade, or wildecat i.d. for the heades of euery Otter, or Hedgehogs, ii.d. for the heads of euery iii. Rattes, or xii. mice, i.d. for the heads of euery Moldwarpe or want. ob. And besides, the takers shal haue all the Crowes and other vermin to their vses. 8.El.15. The reward of them which shall destroy vermin.

5 It is lawfull for euery person which will trauell for the taking of Crowes, and other vermin abouesaid, to enter for the same purpose, into any place therfore conuenient, wth the consent of ye owner or occupier of the same, & there to vse such nets, ingins, & other reasonable deuises, as are meet for the taking & destruction of such vermin (handgunnes and crossebowes excepted.) Anno 8.El.15. Entring into other mens grounds to kil vermin.

6 This act shall not giue libertie to any person to vse anye meane or ingin, for the destructiō of crowes, or other ye foresaid vermin, to the let or destruction of ye building or breeding of any kind of haukes, Herons, Egrits, Paupers, Swannes, or Shouelers, or of any Doues, Douehouses, Deere, or warren of Conies. 8.El.15. Hindrance of the breeding of other fowles.

7 No money shall be giuen to any person by force of this act for the head of any Bussard, Ringtaile, Iron, Polcat, Fitchewe, or Stote, taken in any Parke, warren, or grounde imployed to the maintenance of Conies, or for any Stares taken in Douehouses, or for the head of any kyte, or Rauen, killed in any Citie or Towne corporat, or within two miles of the same. 8.El.15. 14.El.11. No allowance for vermin killed in warres, douehouses, or in cities &c.

Custos Rotulorum.

The Chauncelor of England, or lord Keeper of the great Seal for the time being, shall from time to time wout any bill to be assigned The lord chancelour shall appoint ye custos Rotulorum.

assigned with the Queenes hand, name and appoint such person to be Custos Rotulorum, within euery shire of this realme of Englād, Wales, and other the Queens dominions, marches, and territories of the same, as by the discretion of the said Lord &c. shall be thought meete to haue and exercise the same. And the said person so appointed shall and may exercise and enioy the same office of Custos Rotulorū by him selfe, or by his sufficient deputie or deputies. 3. E. 6. 1

These may appoint the Custos Rotulorum.

2 ¶ But the Byshops of Yorke, of Durham, of Ely, and euery of their successours, the Chauncelor of the Duchy of Lancaster for the time being, and euery person, corporatiō, & body corporat, which haue authoritie, by lawful meanes, to ordeine any of the said offices of Custos Rotulorum within any place, shal and may enioy the same authoritie, according as they haue had the same, this act &c. notwithstanding. 3. Ed. 6. 1.

Customes, Subsidies, Customers, Comptrollers & Searchers.

Subsidie of tonnage and pondage.

AN. 1. El. A subsidie of tonnage was graunted to her Maiestie during her life. That is to say, of euery tūne of wine comming into this realme by way of marchandize, iii. s. And of euery tunne of sweete wine comming in by any marchant Alien, iii. s. more aboue the first iii. s. of euery Awne of renish wine brought in by any marchant xii. d. And also an other subsidie of pondage was graūted, that is to say, of all goods of euery marchant Denizen & Alien, to be carried forth, or brought into this realme by way of marchandize, of the value of euery xx. s. of the same goods xii. d. And of euery xx. s. value of tynne & pewter vessell caryed forth by any marchant Alien, xii. d. more besides the first twelue pence (excepting out of the said subsidie all woollen cloth made within England,) and by any marchant not borne Alien, to be caryed forth, and all woolles, woolfels, hydes, and backes of leather, to be caryed forth of this realme, And all wines, freshfish, and Bestiall comming into this realme. Also an other subsidie was graunted to her grace, vz. of euery marchant denizen and

A subsidie of woolles, woolfels, Leather.

for euery sacke of wool xxxiii. s. iiii. d. for euery C Cxl. wolfels, three and thirtie shillings and iiii. d. for euery last of hides and backes, li. vi. s. viii. d. Of euery marchant stranger, aswel denizen as other, for euery sack of wool iii. li. vi. s. viii. d. of euery C Cxl. wolfels, iii. li. vi. s. viii. d. of euery last of hides and backes, iii. li. xiii. s. iiii. d. and so of all woolles, woolfels, hides and backes after the rate. If any marchandise aforesaide, whereof the subsidie is due to the Queens maiestie,

Marchandize transported & the subsidie vnpayed.

shalbe shipped to the intent to be caryed beyond the seas, or els be brought

brought from thence into any place of this Realme, & there layd on land by way of marchandiſe (the ſubſidie due for the ſame not payd, or the collectour of the ſame or his deputie, with the agreement of the comptroller and ſurueyour, or one of them not agreed within the cuſtome houſe) the ſame ſhalbe forfaited to the Q. & to him that wil ſeiſe or ſue for the ſame. But if any goods, marchãdizes, wools, woolfels, or leather, or any part therof, of any marchant denizen naturally borne the Queenes ſubiect, which ſhall paſſe out of this realme during the time of this graunt, ſhal happen to be taken with enemies or pirates vpon the ſea, or periſhed by infortune in any ſhip that ſhalbe taken or periſhed, whereof the ſubſides due to the Q. ſhal be (in forme aforeſaid) duely payed or agreed for, and that found & proued before the Treaſorer of England, or the chiefe Baron of the Eſchequer by the examination of the marchants if they be aliue, or of their executors or adminiſtrators, if they be dead, or two credible perſons or other reaſonable witneſſes ſworne, then the ſame marchants denizens (owners of the ſame goods periſhed or loſt) if they be aliue, or their executors and adminiſtratours if they be dead, and euery of them, when them liketh, ſhall newly ſhippe as much other marchandizes &c. in the port or portes, in which the other periſhed were ſhipped, without any ſubſidie to be paid to the Queene. And al profits of the premiſſes ſo to be loſt, ſhalbe certified by the Treaſorer or chiefe Baron into the Chauncery, there to remaine of record, And after ſuch certificat, the Chauncelor or Lord Keeper, ſhal make vnto the ſaid marchants their executors or adminiſtrators, or to their atturney in that behalfe, as many & ſuch writs & warrants, to be directed as well to the collectors of the ſubſidie, or any, or euery of them, as to the Treaſorer and Barons of the Eſchequer ſhall be thought needefull, for the ſaid marchants, their atturneis, or the ſaid collectors or any of them, to haue for the obtaining aſwel of the ſhipping, as of the allowance thereof. 1. El. 19.

2 ¶ Euery marchant denizen that ſhall ſhippe any wool, woolfels, hydes, or other goods and marchandizes in any Caricke or galley, ſhall pay to the Queene all maner of cuſtomes, and all the foreſaid ſubſidies, as any Alien borne out of this realme. 1. El. 19.

Denizen ſhipping in a Caricke or Galley ſhall pay cuſtome as an Alien.

3 ¶ Like Cuſtome and ſubſidie ſhall be payed for ſuch ſweete wynes which come through the ſtraytes of Marrocke, otherwiſe Vallegay, being brought from the ſame place, where the Malmeſey is, and of the ſame nature of Grape, as is and hath bene accuſtomed to be paid for Malmeſeis. 1. El. 11.

Cuſtome of ſweete wines.

4 ¶ The

The custome of corne transported.

4 ¶ The Queene, her heires and successors, shall receiue by the Customers and officers of her portes, for the custome or pondage of euery quarter of wheat to be transported (by force of the statute made. 13. El.) xii.d. and of euery quarter of any other graine, eight pence. And of euery quarter of wheat that shalbe by any speciall licence transported (and not by force of the said statute) ii.s. and of euery quarter of other graine xvi.d. notwithstanding any wordes that shalbe conteined in any licences to the contrary, which said seuerall summes so taken as custome or pondage, shalbe in full satisfaction of all maner of custome or pondage for the said corne and graine, by any constitution, order, statute, law, or custome hertofore made, vsed, or taken for transporting of any such maner of corne or graine. 13. El. 13. S. Corne. 7.

Sea fysh transported without custome.

5 ¶ Euery subiect of the Queenes, that shall transporte in any shippe, or other vessels, of any of the Queenes subiects with cross sailes, any herring, or other sea fishe, taken vpon the seas by any of the said subiects out of any Port or Harborough of this realme, shall be free from payment of any custome, Subsidie, or Pondage money for the same Fyshe. 5. El. 5. 13. El. 11. See Shippes. 1.

The subsidie of Lether, calues skinnes and Tallow.

6 ¶ Euery person that shall shippe, or carry any leather, Tallowe, or rawe hydes, beyonde the sea, (other then Scottish hydes brought to Berwicke out of Scotland. 5. El. 8.) shall pay to the Queenes her heirs & successors for euery hide so caried by the name of a Subsidie x.s. For euery dozen of calues skins, iii.s. iiii.d. And for euery C. pound weight of Tallow, vi.s. viii.d. And al Customers, Comptrollers, Farmours, & superuysors of customes and subsidie shall be accomptant to the Q. &c. to pay the said custome and subsidie for all such goods entred and laden, vpon paine to forfeit the treble value, and to make fine and raunsome. 18. El. 8. 3. H. 6. 3.

Vnlawful leather.

7 ¶ If any Leather wrought, cut, or vnwrought to the intent to be solde or bartred, shal be vnlawfully transported or purposed to be transported beyond the sea out of any port, hauen or creek of this realme, or Wales, euery comptroller, customer, surueyour, collector of Tonnage and Pondage, and searcher, and the deputie of any of them, or any other person hearing or knowing of any lewd intent to be transported from any place within his office, and doe not his best indeuour to seise the same, or being trāsported do not disclose or cause to be disclosed the same, within xl. dayes next after knowledge or hearing of the same in some court of recorde, so as the offendor may be punished according to ỹ law, he shall for the first offence forfeit

forfeite C.li. and for the second, lose his office, And euery Customer, officer, or his deputie, that shall make any false certificat of the arriuall of any Leather in any Port, Creeke, or place of this Realme, shall forfeite for euery offence C.li. 5. El. 8.

8 ¶ No English marchant shal pay for the custome of a sacke of wooll, but vi.s. viii.d. 14. Ed. 3. 21. No marchant Alien or denizen shalbe compelled to pay any custome for their Canuise or Corners with which their woolles be packed. 34. Ed. 3. 19. Custome of woolle.

9 ¶ Euery Customer or Comptroller shall take sufficient suerty of euery marchant Alien, Uitayler, or other straunger to employ the money receiued for his marchandise, vpon the commodities of this land, or to put the same money for the marchandize receiued in due payment, (his reasonable expences deducted) vpon paine of forfeiture of the value of the said marchandise to the Q. and I. &c. 3. H. 7. 8. 17. Ed. 4. 1. See Marchants. 9. Suertie of straungers to employ their money receiued &c.

10 ¶ If any marchant denizen, or straunger shall sell, or offer to sell any cloth of Gold, siluer, Bowdkin, Ueluet, Damaske, Satten, Tartaron, Chamlet, or other cloth of silke, or any Corse of silke and of gold, or any corse of silke made beyond the sea, before the collectors of the subsidie of Tonnage & Pondage, and the Comptroller of the same, in the port where such marchandise is set vpon land, haue surueyed, measured, and sealed euery piece thereof, in the one ende with the seale ordeined for the same, he shall forf. the same or the value thereof, 12. Ed. 4. 3. And if any collector, Comptroller, or any of their Clerks do take any thing for sealing any of the foresaid peeces, he shal forf. for euery time xx.li. And if any of them do vnreasonably delay any marchant about the sealing of such marchandize, he shall forfeit for euery offence xl.s. to the Q. and P. greeued, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 4. H. 8. 6. Silkes shall be surueyed & measured by the Customer. The officers shall take no reward nor delay the marchant.

11 ¶ Any person made or to be made Denizen shall pay for his marchandise like custome & subsidie inward & outward, as he should haue paid before he was denizen. 1. H. 7. 2. 11. H. 7. 4. 22. H. 8. 8. Aliens made denizens.

12 ¶ Euery subiect borne in England, and sworne to be subiect to a forreine Prince, so long as he shall abide and be subiect to a forreine Prince, shall pay such customes, subsidies, tolles and other impositions win this realme, as other strangers of those parts where the said English man maketh his habitation, vse to pay. But if after any such person do returne into ỳ realm here to inhabit, thē he shalbe restored to such liberties, in paying of customes & other charges, as other Englishmen subiect to other princes.

other English men vse to pay, and haue a writ out of the Chauncery for the same. 14. H. 8. 4.

Goods brought into one port & then remoued to an other.

13 ¶ Euery marchant which shall bring any goods into any port in this Realme, and there doeth enter the same in the Customers bookes, and pay vnto him the Queenes duetie, and will after carry the same goods from thence, into any other Port within this Realme, shall bring from the Customers of the Port where the goods were entred, a certificat vnder their seales directed vnto the customers of the port whereto the goods shalbe conueyed, making mention therein of the colour, length, weight, content & value of all goods so entred, & the customer, or officer to whō such certificat shall come, shall take nothing for the sight of the same goods. And if any of the said goods shalbe discharged, vnpacked or put to sale within any port (other then the same where they shall be first entred) before the said certificat be deliuered, and the same goods seene, then they shall be forf. to the Q. and him that will proue such forfeiture. 3. H. 7. 7.

Certificat entred into the customers bookes.

14 ¶ If a certificat be made by the customer of any porte where unto such marchādises shalbe first brought, & there in their bookes entred, not making mention as is aforesaide, the customer shal lose his office, & make fine to the Q. at her pleasure. 3. H. 7. 7. The custome and subsidie of all wollen clothes to be shipped & caryed ouer ỹ sea (whersoeuer they be packed) shalbe payed to the customers of the porte where any such clothes shalbe laden or shipped, or to their deputies. 11. H. 7. 6.

Wollē clothes packed in one port & shipped in another.

Warrants of discharge to ỹ marchant paying the due customes.

15 ¶ Euery customer, or comptroller which will not write, and deliuer sufficient warrants sealed with the seale of their office, to any marchant shewing, and duely customing his marchandises in the discharge of the same (without any thing receiuing therefore but onely the due custome, shall forf. for euery offence to the Q. x. li. and to the marchant greeued v. li. for the which the said marchant shall haue an accion. 11. H. 6. 15.

No man shall enter goods in an other mans name.

16 ¶ No person, denizen or stranger, shall enter into the bookes of any Customer, or other officer of any port or Hauen, or his deputie or seruant any goods, wares, or marchādises whatsoeuer brought into the Queens dominions, or to be transported forth of the same, in the name of any other person then the very true owner of the same goods, being not solde or bargained for, by any person before such entre, or before the arriual of such goods or marchādizes into ỹ parts beyond the sea, vpō pain of forf. of ỹ value of ỹ goods so entred.

Cocketing wolles.

1. El. 11. 1. H. 8. 5. 14. Ed. 3. 21. And whosoeuer doth cocket wolles but

but in the name of him whoſe the wolles be, ſhal forf. thē. 13. R. 2. 9.

17 ¶ If any marchant ſtranger, denizen, or other the Queenes ſubiect, ſhal cuſtome any goods or marchādizes of any other, whereby the Queene ſhall loſe her cuſtome, Subſidie, or other right, or duetie, he ſhall forf. all his goods and cattels perſonals for euer, to the Q. & I. that will ſue within iii. yeres, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 3. H. 7. 7. 1. H. 8. 5. 2. Ed. 6. 22. Cuſtoming of others goods whereby the Queene loſeth her duety.

18 ¶ If any perſon inheriting in the cinque portes, or other being free of priſage or butlerage of wines by graunt, cuſtome, or otherwiſe, doe cuſtome the wines of any other perſon being not free, he ſhall forf. all his goods and cattels perſonals to the Q. & I. that will ſue within iii. yeres, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 1. H. 8. 5. 2. Ed. 6. 22. Cuſtome of wines.

19 ¶ If any cuſtomer, comptroller, or his deputie will ſuffer by couin or other vndue meanes, any perſon after that his Braſſe, Latten, Copper, Mettal &c. is ſhipped or caryed, contrary to the meaning of the ſtatute in that caſe prouided, to make an obligatiō without date for the diſcharge and certificat of his mettall, then hee ſhall loſe his office, and the value of the metall. And if any cuſtomer or Searcher doe willingly ſuffer any of the metalles aforeſaide to be ſhipped contrary to the meaning of the ſaid act, or els hauing knowledge that it is ſecretly ſhipped, or caryed, do not ſeiſe the ſame to the Queenes vſe, then he ſhall loſe his office, and the value of the ſaid metal. 33. H. 8. 7. 2. Ed. 6. 37. See Braſſe. 3. Braſſe Mettal remoued from one port to an other.

20 ¶ If a common officer, in any Citie, borough or Towne, or his deputie do take vpon him to be Cuſtomer, Comptroller or ſearcher in any Port in the ſame Citie, borough or towne, he ſhall forfeite for euery halfe yeere that he occupieth both the ſayde offices, xl. li. to the Q. & I. &c. 3. H. 7. 7. Common officer of a towne ſhalbe no officer in the cuſtome there.

21 ¶ If a cuſtomer, comptroller of the cuſtome, clerke, deputy, miniſter, Seruant, Factor or ſearcher, Comptroller or ſurueyour of ſearches, or any of their clerkes, deputies, miniſters, or factours ſhall haue any ſhippe of his owne (14. R. 2. 10.) or ſhall buy or ſell by way or colour of marchandize, or medle with the fraighting of ſhips, or haue or occupie any wharfes or keyes, or keepe any Inne or tauerne, (11. H. 4. 2.) or ſhalbe factour or atturney for any marchant denizen or alien, or ſhalbe hoſte to any marchant ſtranger, he ſhall forf. for euery ſuch offence xl. li. to the Q. & I. &c. 20. H. 6. 5. No cuſtomer ſhal haue a ſhippe marchandize, keepe a wharf, an inne, or be a factor.

22 ¶ If any cuſtomer, collector, or comptroller of the Queenes cuſtomes, of cockets, of clothes, ſubſidies, Tonnage or Pondage in any Cuſtomer concealing the Queenes cuſtome.

any place of this realme, doe falſely conceale the Queenes cuſtome or Subſidie, duely entred and payed by any marchant, and be there- of duely attainted or conuicted at the Queenes ſuite, he ſhall forfeit the treble value of the marchandize ſo duly cuſtomed, and alſo pay a fine. 3.H.6.3. And euery cuſtomer vpon the yelding of his accompt in the Eſchequer ſhalbe ſworne to anſwere to the Queene all profites without fraude. 4.H.4.20.

The Cuſtomer ſworne.

23 ¶ The cuſtomers & cõptrolers in euery port of Englãd ſhal abide vpõ their offices in their proper perſons, without making any deputie or Lieutenãt in their names. 1.H.4.13. And thereunto they ſhalbe ſworne, and he which doth the contrary ſhall forf. C.li. and be impriſoned, and the like ſumme ſhall a ſearcher, and the Lieutenant of the Queenes chiefe Butler forf. if he do not abide vpon his office or do make deputie. 4.H.4.20. But ỳ cuſtomer of Lynne ſhal have a ſeruant or deputie, continually reſident at the Citie of Yorke: and euery other Cuſtomer, comptroller, and ſercher of euery port aſſigne to and in euery of the portes of London, Southampton, Boſtow, Weſtchester, Newcaſtle, and the ſuburbes of the ſame, and euery porte, creeke or Rode (where the ſeruant of any of them ſhal bene continually reſident by the ſpace of x. yeres, or herafter ſhall one able and ſufficient deputie or ſeruant at the leaſt. 1.El.11.

Which Cuſtomers may make deputies and which not.

24 ¶ If a Cuſtomer, Comptroller, Gager of wines or Sercher, be abſent from his office by the ſpace of iii. weekes, he ſhall his office, except he be commaunded to be in ſome of the Queenes courts of record, or otherwiſe in the Queenes ſeruice of record. H.4.13. 4.H.4.20. 13.H.4.3.

A Cuſtomer ſhall continue vpõ his office.

25 ¶ Alſwell euery Cuſtomer, Comptroller, and Searcher, euery of their deputies and ſeruants, ſhal from time to time do their diligent attendance at the howres, times and places (appointed by the ſtatute made 1.El. for laying on land marchandizes) in the Cuſtome houſe and elſe where, as it ſhalbe moſt cõuenient for the ſpeedy diſpatch of the marchant, his wares and marchandiſe, and for the due execution of the foreſaide act, in ſuch things as to him ſhall pertaine, without concealment or conſenting to any thing, whereby may be to the dammage of the Q. her heires or ſucceſſors, in the anſwering of her cuſtomes & ſubſidies, vpon paine that euery ſuch cuſtomer, cõptroller, & ſearcher ſhal forf. for euery offence his office & C.li. to the Q. & I. wherein no Wl. &c. E.P.I. &c. And if any officer pertaining to the ſubſidie or Cuſtome, do know any offence committed contrary to any article of the ſaid ſtat. and do not diſcloſe it

Officers of the Cuſtome ſhalbe attendant.

with

within one moneth, to the chiefe officer of the same port, or to the Lord Chauncellor, Treasorer, Barons of the Eschequer, or attorney generall &c. he shall forf. a C.li. 1. El. 11. S. Marchants. 5.

1 That no Brasse, Copper, Mettall, &c. shalbe shipped but out of a port where there is a Customer. S. Brasse. 5.

2 What bondes, and vpon what paine a Customer shal take for the carrying of Brasse or other mettall from one port of this realme to an other. S. Brasse. 3.

3 That masters of Ships shall declare vnto the Customers when they goe forth, and when they returne. S. Marchants. 7. 8.

4 For the Customers duetie in receiuing and selling of Hattes brought from any partes beyond the sea, and the owners in paying of Custome. S. Hattes. 8. 9. 10. 11.

Dammages.

Damages where the pl. doth delay his suite, doth discontinue, or is nonsuit.

Where any person shall sue forth or procure to be sued forth of the kings Bench any (Latitat, Alias, or pluries Capias) against any person which vpon the same shalbe arrested, or appeare vpon the returne of any the said writtes or proces, and shal put in his baile to and where such as shalbe obiected against him, then if the parti at whose procurement the same writ or proces was obtained, doe not within iii. dayes next after such baile taken, put into the same court his declaration against ꝑ same party against whom such writ or proces shalbe sued, or if after declaration had, the pl. shall not prosecute the same with effect, but shall (willingly & apparently to the same court) suffer his suit to be delayed, or shal after declaration suffer the same suite to be discontinued, or shalbe nonsuit in the same, then the iudges of ꝑ said court shall by their discretions, as they shal perceiue any such default to be in the partie, at whose procurement such writs or proces was sued forth, awarde to euery such person so vexed or troubled by such writs or suit, his costs, dammages, & charges by meanes sustained, by occasion of any such writs, proces, or suites to be paied by such person, that so shall cause any such writes or proces to be sued forth. 8. El. 2.

Suites in the Marshalsey, and in corporat townes.

¶ If any person shall cause any other person to be attached or compelled to answere to any bill, plaint, accion or suite in the court of the Marshalsey, or in any court within London, or in any Citie, Borough, Towne corporat, or other place, where any pleadge is vsed to hold plea in any accion personall, and do not in all courts (having their continuance de die in diem) within iii. dayes next after the defendant shalbe bailed, or otherwise appeare in court by force of

any arreſt or attachement had and returned, and in all other courtes at the next ſeſſions or court to be holden after ſuch arreſtes or attachements and apparance of the def. where as the ſaid def. ought to appeare (vnles a further day ſhalbe eſpecially gruen by the diſcretion of the court from whence any precept, proces or attachement ſhalbe awarded) exhibite his bill or declaratiõ againſt ſuch perſon as ſo by his meanes ſhalbe attached or arreſted, into ſuch court when the partie ought to appeare, or if any ſuch perſon at whoſe ſuite any ſuch attachement or arreſt of any perſon ſhalbe ſo made, after his declaration, bill, or plaint exhibited, doe not from thenceforth proſecute the ſame his ſuite with effect, or ſhal ſuffer the ſame to be diſcontinued, or ſhall after be nonſuit in the ſame or willingly & apparantly to the ſame court, ſhal for veration of the def. delay the ſame ſuite, then the Iudge or Iudges of euery ſuch court, ſhal forthwith by him or their diſcretion, as he or they ſhall perceiue any ſuch default or delay in the party that procured any attachment or arreſt to be, award to euery ſuch perſon, which ſhalbe ſo attached or troubled, coſtes, damages & charges by any meanes ſuſtained, by occaſion of any ſuch attachment, arreſt, & ſuite ſo had againſt him, to be paied by ſuch perſon that ſo ſhall cauſe any ſuch attachment, or arreſt to be ſo made. 8. El. 2.

Arreſting of any perſon at an others ſuite, not knowing thereof.

3 ¶ If any perſon ſhall by any meane malicioully, or for vexation procure any other perſon to be arreſted or attached, to anſwere in any the courtes or places aforeſaid, at the ſuite or in the name of ſuch perſon, where in deede there is no ſuch perſon knowen, or where the conſent of ſuch perſon at whoſe ſuite, or in whoſe name ſuch arreſt or attachment ſhalbe ſo had, then euery perſon that ſhall ſo procure any ſuch arreſt or attachment, and ſhall thereof be conuicted or lawfully accuſed by indictment, preſentment, or by the teſtimony of two ſufficient witneſſes or moe, or other due proofe, ſhall for ſuch offence by him committed or procured, ſuffer impriſonment by the ſpace of ſixe moneths without baile or mainprize, and before he ſhalbe deliuered out of the priſon, ſhall pay vnto the party ſo arreſted or attached, or to his meanes treble the coſts, charges, damages and expences, that ſhalbe put vnto by reaſon of ſuch attachment ſo had, and ſhall alſo pay vnto ſuch perſon in whoſe name or at whoſe ſuite he ſhal ſo procure ſuch arreſt or attachment to be made (if then there ſhalbe any ſuch perſon knowen) x. li. for euery ſuch offence. 8. El. 2.

A remedie for the forfaitures aforeſaid.

4 ¶ Euery perſon to whom any coſts, charges, damages, forfaiture, or paiment of any money, by this acte ſhalbe awarded, or for

ted, may at al times haue his remedie for the recouery thereof by A. of debt, bill, or plaint, in any court of record, against such person, his heires, executors or administrators, as ought to pay the same, by force of this act, wherein no Wl. fc. E. P. fc. 8. El. 2.

5 ¶ If any defendant or tenant, against whom iudgement to recouer is giuen, or if any other that shalbe bound by the saide iudgement, sue before execution had, any writ of Error, to reuerse any such iudgement in delaying of execution, then if the saide iudgement be affirmed good in the saide writ of Error, and not erronious, or that the said writ of Error be discontinued in the default of the party, or that the person that sueth such writ of Error be nonsued in the same, then the said person against whom ẏ said writ of Error is sued, shall recouer his costes and damages for his delay & wrongfull veration in the same, by discretion of the Iustice before whom the said writ of Error is sued. 3. H. 7. 10. 19. H. 7. 20.

Damages in a writ of Error sued before execution.

6 ¶ If any person doe commence, or sue in any court of record, or in any other court, any accion, bill or plaint of trespasse vpon the statute of 5. R. 2. 7. for entries into landes and tenements where no [illegible] is giuen by the law, or any action fc. of debt, or couenant, vpon any specialty made to the plaintife, or vpon any contract supposed to be made betweene the plaintife and any person, or any accion fc. of Detinue of any goods or cattels, whereof the pl. shal suppose that the propertie belongeth to him, or any accion fc. of accompt, in which the plaintife suppose the def. to be his bailife or receiuor, of his [illegible], money, goods fc. to yeelde accompt, or any accion fc. vpon the case, or vpon any statute for any offence or wrong personall immediatly supposed to be done to the plaintife, and the pl. in any such accion, bill or plaint after apparance of the def. be nonsuted, or any verdict happen to passe by lawfull triall against the pl. in any such accion, bill or plaint, Then the def. in euery such accion fc. shal haue iudgement to recouer his costes against euery such pl. And that shalbe assessed by the discretion of the Iudge or Iudges, of the court where any such accion, bill, or plaint shalbe cõmenced, sued or taken. And also euery def. in such acciõ, bil or plaint, shal haue such proces, and execution for ẏ recouery of his costes against the same pl. as the same plaintife should or might haue had against ẏ def. in case that the iudgement had bene giuen therein for the plaintife. 23. H. 8. 15.

The def. shall recouer his costes in these accions, if the pl. be nonsuite, or the verdict passe against him.

7 ¶ But al & euery such poore persõs, being plaintifes, in any of the said accions, billes, or plaints, which at ẏ commẽcement of their sutes, or accions be admitted by discretion of ẏ Iudge or Iudges

He that is allowed in Forma pauperis shall not pay costs, but be otherwise punished.

where such suites shalbe pursued or taken, to haue their proces and counsaile of charitie without any money paying for the same, shall not be compelled to pay any costes by this statute, but shall suffer o-ther punishment, as by ỹ discretion of the Justices or Judge before whom such suites shal depẽd, shalbe thought reasonable. 23. H. 8. 15.

Auowant shall recouer costes and damages against the pl.

8 ¶ Euery auowant, and euery other person and persons, that make any Auowrie, Justification, or Cognisaunce, as Bayly or ser-uant to any person or persons in any replegiarie, or second deliue-rance, for rentes, customes, seruices, or for damage fesant or other rentes, vpon any distres taken in any landes or tenements, if ỹ same auowry, cousance, or iustification be found for them, or ỹ plaintife in the same be nonsuit, or otherwise barred, then they shall recou-their damages & costes against the said plaintifes, as the same plain-tifes should haue done, if they had recouered in the replegiarie or sec-ond deliuerance found against the said defendants. 7. H. 8. 4. 21. H. 8. 19. S. Auowrie. 2.

Accions sued to ỹ Queenes vse.

9 ¶ Albeit the plaintife shalbe nonsuted in any whatsoeuer ac-on, suite, bill, or plaint commenced or sued to the vse of the Queene her heires or successors, kings of England, or that it shal happen a verdict to passe against any such plaintife in any such accion &c. ỹ defendant shal not recouer any costes against any such pl. 24. H. 8.

The informer shall pay costes and damages.

10 ¶ If any informer, or pl. vpõ any penal statutes shal wilfully delay his suit, or shal discontinue, or be nonsuit in the same, or haue ỹ triall or matter passe against him therein by verdict, or iudge-ment of lawe, in euery such case he shall pay vnto the def. his costes charges and damages to be assigned by the court, in which the same suite shalbe attempted, for the recouerie and execution whereof ỹ def. shall immediatly vpon the same costes, charges, and damages assigned, haue his Capias ad satisfaciend. Fieri facias, or Elegit, to be awarded vnto him out of the same court in which the same shalbe assigned. 18. El. 5. to endure to the end of the first session of the next parliament. S. Accion popular. 4.

The alienee of the disseisor charged with damages.

11 ¶ If disseisors doe alien their landes, and haue not whereof damages may be leuied, they to whose handes such tenements shall come, shalbe charged with the damages, so that euery one of them shalbe charged with daumnages for his time. And the disseisee shall recouer damages in a writ of entre vpon disseisin, against him who is found tenant after the disseisor. Gloucester. 6. Ed. 1. 1.

Entre sur disseisin.

Mordaunce-ster, Cosinage, Aiel Besaiel.

12 ¶ Damages shalbe awarded, where a man recouereth by Assise of Mordaunceſter, Cosinage, Aiel and Besaiel, Glouces-ter. 6. Ed. 1. 1.

13 ¶ In

13 ¶ In all cases where the demaundant shall recouer damages (being the value of the issues of the land) there he shall also recouer against the tenant, the costes of his writ purchased, with the said damages. Glouc. 6. Ed. 1. 1. Where damages shalbe recouered, there costes shalbe also.

14 ¶ Euery man shalbe compelled to render damages, where recouerie is had against him vpon his owne intrusion or act, which damages shall runne after the writ purchased against him though his ancestour died seised thereof. 6. Ed. 1. 1. Recouerie vpon his owne intrusion.

15 ¶ The Queene in all suites to be taken, vpon any specialty made to her grace, or any to her vse, shall recouer her iust costes and damages as other common persons vse to doe, in suites for their debts. 33. H. 8. 39. The Queene shall recouer costes and damages.

1 That a woman shal recouer damages in a vvrit of Dower, from the death of her husband. S. Dower 1.

2 Where treble damages shalbe recouered vpon Assise of common of pasture. S. Approuements 5.

Dilapidations.

IF any Archbyshop, Byshop, Deane, Archdeacon, Prouost, Treasorer, Chaunter, Chauncelor, Prebendary, or any other hauing any dignitie or office in any Cathedrall or Collegiat Church within this Realme, or any Parson, Vicar, or other incumbent of any ecclesiastical liuing whereunto do belong any houses or buildings, which by lawe or custome he is bound to maintaine in reparation, doe suffer any of his said houses or buildings to fall downe, or runne in decay, and after doe make any deede of gift, alienation, or other conueiance of his moueable goods & cattels, in his life time, to the intent after his death to defeat his successors of such iust actions and remedies as otherwise they might haue had for the same, against their executors, or the administrators of their goodes, when the successors of him which shall make such deede &c. shall and may commence suit, and haue such remedie in any court ecclesiasticall within this Realme, competent for the matter against him or them to whom such deede of gift or alienation shalbe so made, for the amending and reparation of such dilapidations, or iust recompence for the same as hath happened by his fact or default, in such sort as he might, should or ought lawfully to haue, if he or they to whom such deede of gift were made, were executor of him that made such deede &c. or administrator of his goods &c. 13. El. 10. Fraudulent deedes to defeate the successors of their remedy for dilapidations.

2 ¶ Whosoeuer doth recouer any summes of money, for or in the name of Dilapidations, by sentence, composition, or otherwise,

Money recouered for dilapidations, shal be imploied in reparations.

and doeth not within two yeeres after the receipt thereof truely imploie the ſame vpon the buildings, & reparations, in reſpect whereof ſuch money or dilapidations ſhalbe paied, ſhall forfeit double ſo much to the Queene as ſhalbe receiued and not imploied. 14. El. 11.

Diſceipt.

IF any Seriant, pleader or other, doe any diſceipt in the Queenes Court, or do conſent thereunto, to diſceiue the Court or party, and is thereof attainted, he ſhalbe impriſoned a yeere and a day, and being a Councellor, ſhall not any more be receiued to pleade in the Queenes Court for any man, And if he be any other then a pleader, he ſhalbe impriſoned as aforeſaid. And if the treſpaſſe require a greater punishmẽt, it ſhalbe at ỹ Queenes pleaſure. Weſt. 1. 3. Ed. 1. 39.

2 ¶ A writ of diſceipt holdeth place and is maintainable aſwell in caſe of garniſhment which toucheth plea of land where ſuch garniſhment is giuẽ, as in caſe of ſummons in plea of land. 2. Ed. 3. 17. Northampt.

Diſcontinuance of proces.

Death of the king ſhall not diſcontinue any ſuite.

BY the death, or dimiſe of the Queenes Maieſtie that now is, or any that hereafter ſhalbe King or Queene of this Realme, all accion, ſuit, bill or plaint, that ſhall depend betweene party and party in any of the Queenes Courts, and other courts of record, ſhall not in any wiſe be diſcontinued, or put without day. But the Proceſſe, Pleas, Demurres, and continuances in euery accion, accions, ſuites, billes or plaintes, which ſhall depend, ſhal ſtand good, & be proſecuted, and ſued forth, in ſuch maner & forme, and in the ſame eſtate, condition and order, as if the ſame King or Queene had liued. And the maner of iudiciall proces, that ſhalbe purſued in the time of ỹ reigne of any other King or Queene, then reigned at the time of the ſuite of the original, or other former proces, ſhalbe made in the name of the King or Queene, that for the time ſhall reigne and be King or Queene &c. And variance touching the ſame proces, betweene the names of the Kings or Queenes ſhall not be materiall, as concerning any default to be obiected therefore. 1. Ed. 6. 7.

Death, newe commiſſion or aſſociation of Juſtices maketh no diſcontinuance.

2 ¶ Euery aſſiſe of Nouel diſſeiſin, aſſiſe of Mordaunceſtor, Iuris vtrum, and Attaint, which ſhalbe arraigned, commenced or ſued before any Juſtices of Aſſiſe, ſhall not be diſcontinued, or put without day, by reaſon of death, newe commiſſion, aſſociation, or not coming of the ſame Juſtices, or any of them, but ſhall ſtand good in the lawe, to all intents, the death, newe commiſſion, aſſociation, or not

comming

comming of the same Justices or any of them in any wise notwithstanding. 1.Ed.6.7.

3 ¶ Albeit any demaundant, or plaintife in any accion, bill or suit, shalbe made Duke, Archbyshop, Marques, Earle, Uiscount, Baron, Bishop, Knight, Justice of the one Bench or of the other, or Seriant at law, depending ẏ same accion &c. yet no writ, accion or suit, shall for such cause, be abatable or abated, but shall remaine in like force, as the same was before. 1.Ed.6.7. No preferment of the plaintife to a name of dignitie shall abate his suite.

4 ¶ Albeit any person being Justice of Assise, Justice of gaole deliuery, or Justice of peace, within any the Queenes dominions, or being in any other of the Queenes commissions whatsoeuer, shalbe made Duke, Archbishop, Marques, Earle, Uiscont, Baron, Bishop, Knight, Justice of the one Bench or of the other, or Seriant at law, or Sherife, yet he shall remaine Justice and Commissioner, & haue full power to execute the same in like maner as he might or ought to haue done before the same. 1.Ed.6.7. But no person exercising the office of the Sherife of any County, shall exercise the office of Justice of the peace by force of any Commission or otherwise, in any Cuntry where he shalbe Sherife, during the time onely, that he shall exercise the said office of Sherifwick. 1.M.8. Euery one shal remaine iustice and cõmissioner, though he be preferred to some dignitie. No Sherife shall be Justice of peace.

5 ¶ In all cases, where any person shalbe found gilty of any Treasõ, Murder, Manslaughter, Rape or other felony whatsoeuer, for the which iudgement of death should or may ensue, and shalbe reprieued to prison without iudgement at that time giuen against him, Those persons that at any time shall by ẏ Queenes letters patents be assigned Justices to deliuer the Gaole where any such person found giltie shall remaine, shall haue full power to giue iudgement of death against such person so found giltie and reprieued, as the same Justices (before whom such person was found gilty) might haue done, if their cõmission of gaole deliuerie had remained in full force. 1.Ed.6.7. New Justices may giue iudgement of a prisoner found gilty and reprieued.

6 ¶ No proces or suite made, sued or had before any Justices of Assise, Gaole deliuery, Oyer and Terminer, Justice of peace, or other of the Queenes Commissioners, shalbe discontinued by the making and publishing of any new commission, or association, or by altering of the names of the Justices of Assise, Gaole deliuerie, Oyer and Terminer, Justices of peace, or other the Queenes Commissioners, but the new Justices, and other Commissioners may proceede in euery behalfe, as if the old commissions and Justices and Cõmissioners had stil remained not altered. 1.Ed.6.7. 11.H.6.6. S Iustices of peace, 106. No suit before Justices shalbe discontinued by a new commission.

Exacting for dispensations.

WHosoeuer doth exact, or receiue of any Suiter more for any dispensation, facultie or licence, then is contained in the duplicat bookes of Taxes, wherein is witten the taxes of all customable dispensations, faculties, licences and other writings, wont to be spedde at Rome, (one of which bookes doe remaine in the hands of the clerke of the faculties, and the other in the hands of the clerke of the Chauncery, appointed for writing of licences, dispensations &c.) shall forfaite ten times so much, as he shal so exact and receiue, to the Q. and I. to be recouered by A. B. P. &c. wherein no W. &c. E. P. &c. 25. H. 8. 21. 1. Eliz. 1.

Distresse.

No distresse shalbe driuen forth of the Hundred where it was taken.

WHosoeuer shall driue any Distresse out of the Hundred, Rape, Wapentake, or Lath, where it is take, (except it be to a pound ouert within ỹ same shire, being not aboue three miles distant from the place where it is taken) or shall impound in seuerall places, goods distrained for any cause at one time, whereby the owner shall be constrained to sue seuerall repleuies for the deliuery of the same distresse, shall forfaite to the P. grieued for euery such offence xl. and treble damages 1. &c. 2. P. & M. 12. No man shall cause a distresse to be driuen forth of the Countie wherein it was taken. Marlb. c. 1. H. 3. 4. West. 1. 3. Ed. 1. 16.

No distresse shalbe impounded in seuerall places.

Poundage money.

2 ¶ Whosoeuer doth take for keeping in pound, poundage, or the impounding of any whole distresse, aboue iiii. d. or doth take so much, where lesse hath vsually bene taken, shal forf. to the P. grieued v. li. and so much as he taketh ouer ỹ said iiii. d. &c. 1. &c. 2. P. & M. 12.

In what places distresse shall not be taken.

3 ¶ No man shall for any cause distraine out of his fee, in the Queenes high way, or common streete, but the Q. and her officers. Marlb. 52. H. 3. 15. West. 2. 13. Ed. 1. 16. Neither shall any man distraine in the auncient fees of the Church: but in such possessions as ecclesiasticall persons haue purchased of late, distresses may be taken. Articuli cleri. 9. Ed. 2. 9.

A distresse impounded in a Castel.

4 ¶ If any man distraine an other mans cattell, and driue them into a Castel or Fortresse, and there hold them (being solempnly demaunded by the Sherife or Bailife) against gages and pledges, so that the Sherife or Bailife cannot make deliuerance of them to the owner, ỹ Sherif or Bailif taking with him ỹ power of ỹ county shall beate downe ỹ Castel, & the plaintife shall recouer double damages for all the losse which he hath receiued by his cattell, hinderance of his gaynage, or in other maner (after the first demaund of the cattell made by the Sherife or Bailife) against him that tooke the cattell, or

against his lorde, if he be not able to answere them, West. 1. 3. Ed. 1. 17.

5 ¶ If any person take a distres of his owne auctority, without award of the Queens court, & therof be cõuicted, or if one neighbour take a distres of another (whereby he hath receiued losse) without award of the Queens court, he shal make fine according to the quantitie of the trespas, & neuertheless sufficient amends shalbe made to them which haue receiued losse by such distres. Marlb. 52. H. 3. 1. Damages for a wrongfull distresse.

6 ¶ None shal distraine any to come to his court, which is not of his fee, or vpon whome he hath not iurisdiction by reason of his hundred or bayliwick, neither shal any man take a distresse without his fee, or the place where he hath iurisdiction, or bailiwick, vpon payne to make fine according to the quantitie of the offence. Marlb. 52. H. 3. 2. Neither shal any man distraine his freeholder to answer for his freeholde, or any thing thereunto belonging without the Queens writ. Marlb. 52. H. 3. 22. None but suters shalbe distrained to come to a court

7 ¶ If any distraine his tenant for seruices & customes, which he claimeth to be due vnto him, or for any other thing, for the which the lord of the fee hath cause to distraine, and after it is found that the tenant doth not owe him any such, the lord shal not therfore make fine, if he do suffer the distresse to be deliuered according to the law & custome of the Realme, but shalbe amerced, and the tenant shall recouer his damages against him. Marlb. 52. H. 3. 3. The Lord shall not make fine for distraining his tenant.

8 ¶ Distresses shalbe reasonable according to the quãtitie of the debt or damages, and not grieuous, and he that taketh vnreasonable and excessiue distresses shall be amerced. 51. H. 3. Marlb. 52. H. 3. 4. 28. Ed. 1. 12. S. Accomptants to the Queene. 45. Excessiue distresse.

9 ¶ No distresse shalbe made, but by Bailifes which be knowne and sworne, and they which do otherwise, & therof be conuicted, shal answere to the parties grieued their dammages, if they therof doe bring their accion of trespas, and also shalbe grieuously punished by the Queene, West. 2. 13. Ed. 1. 37. Distres by bailifs knowen & sworne.

10 ¶ If the Sherife, or any other doe distrayne an other mans beasts, they whose the Cattel be, may giue them meat of their owne, without disturbance, or paying any thing therefore, whiles they doe remaine in the pound. 51. H. 3. de distric. scaccarii. The owner may fede his cattel which be impounded.

11 ¶ No man shalbe distrained by his beastes which til his land, nor by his sheepe, for the Queenes, or any other persons debt, so long as one may find an other distresse or other cattels sufficient, wherof to leuy the debt or thing in demaund, except it be the impounding of Plough cattell & sheepe shall not be distrayned, if &c.

of beastes which a man findeth doing hurt, according to the custome of the realme. 51. H. 3. de dist. scacc. 27. Ed. 1. 12.

Selling of distresse.

12 ¶ No cattel nor other distresse taken for the Queenes debt, nor for any other thing, shall be solde or giuen within xv. dayes after the taking thereof. 51. H. 3. de dist. scaccarii. But collectours appoynted for the gathering of money towardes the repaire of any decayed bridge, haue power to distraine any person which shalbe taxed, and refuse to pay towards the same, & to sell the distresse. 22. H. 8. 5. And the Church wardens of euery parish may distrayne the goods of any parishioner, which is assessed to pay any mony towards the destruction of Crowes, and other vermine, and doeth denie or doeth not paye the same, and the same distresse shall vse in such maner and fourme, as distresses taken for amerciaments in leetes. 8. El. 15. And euery Receyuor, Bailife, & Collector of the Queenes lands &c. in lacke of payment of the rents, issues & reuenues within their offices, may distraine and sell the distresse. 7. Ed. 6. 1. And collectors appointed for the gathering of money taxed in seuerall shires, towards the making of a Gaole in the same shire, may distraine any person taxed refusing to pay, and after x. dayes sell the distresse. 23. H. 8. 2. 13. El. 25. And the Surueiors of waies in euery parish may leuy the forfaitures by distresse, & sell the distresse. 18. El. 9. And the collectors for the poore may seise and sell the goods of him which bringeth into England or Wales any Vagabound or begger out of Ireland or Isle of Man, for xx. s. which he hath forfaited for the said offence, to the vse of the poore of the parish, where any of the sayd persons were set on land. 14. El. 5. And all forfaitures made by reason of the statute prouided. 18. El. for the setting of the poore on worke, and for the auoyding of idlenes, shall be leuyed by distresse, and sale of the offenders goods, to the value forfaited. 18. El. 3.

1 That euery Sherife shall appoynt iiii. Deputies to make replenishments, and deliuer distresses. S. Sherifes. 22.

2 Where a man shall distrayne out of his fee, for arrerages of rents. S. Rents. 1. 2. 3.

Dower.

A woman shall haue her Quarentine.

A Widowe after the death of her husband, incontinent shall haue her mariage & inheritance, and shal giue nothing for her dower, her mariage, or her inheritance, which inheritance her husband and shee held the day of his death. And she shal tarie in the chiefe house of her husband xl. dayes after his death, within which dayes her dower shalbe assigned her, (if it were not assigned her before) or that ỹ house be

be a Castell, and if shee depart from the Castell, then a competent house shalbe forthwith prouided for her, in the which she may honestly dwell, vntill her dower be to her assigned, and she shall haue in the meane time her reasonable estouer of the cõmon, and for her dower shall be assigned the third part of all the landes which were her husbands in his life time, except she were indowed of lesse at the church doore. Magna Charta. 9. H. 3. 7. And if any do deforce from a Widowe, her dower, or Quarentine of the tenements whereof her husband dyed seised, and after the same widow doeth by suit recouer the same, the deforceor shal yeelde to the same widowe her damages, vz. the value of her whole dower from the time of her husbandes death, vnto the daye of her recouery by iudgement, and also the deforceor shalbe amerced. Mert. 20. H. 3. 1.

2 If a wife do willingly forsake her husbande, and go away & continue with her adulterer, shee shall lose for euer her accion to demand her dower, which she ought to haue of her husbands landes, if she be thereof conuict (except her husband will vpon his owne good wil, and without compulsion by the Ecclesiastical law reconcile her, and suffer her to dwell with him) in which case her accion shalbe restored againe vnto her, West. 2. 13. E. 1. 34.

Elopement with an adulterer is cause of forf. of dower.

3 Albeit any person shalbe attainted, cõuicted or outlawed of any misprision of treason, murder, or felony whatsoeuer, yet euery woman ỹ shalbe wife of the person so attainted shalbe endowable, & enabled to demaund & enioy her dower, in like maner as though her husbãd had not bin attainted, cõuicted or outlawed. 1. Ed. 6. 13. But the wife whose husbãd shall be attainted of any treasons whatsoeuer they be, shal in no wise be receiued to demãd or haue dowry of any ỹ lands, tenemẽts or hereditamẽts of any person attainted of treason, during ỹ said attaindor in his force, any thing before mencioned to ỹ cõtrary notwithstãding. 5. E. 6. 11. That the attaindor of any person for any offence made treason by any of ỹ acts made. 5. El. 1. 5. El. 11 18. El. 1. shal not make any corruption of blood to any heire, nor the wife of the offendor to forf. her dower. S. Queene. 8. Forfaiture. 2.

The wife endowed, though her husband be attainted.

4 If any persons do purchase, or shall haue estate conueyed in any lands, tenements or hereditaments vnto them, & to their wiues, and to the heires of the husband, or to the husband and to the wife, & to the heires of their two bodyes begotten, or to the heires of one of their bodies begotten, or to ỹ husbãd & to the wife for terme of their liues, or for terme of life of the sayd wife: Or if any such estate or purchase of any lands &c. shalbe made to any husband, and to his wife in

A woman shal not haue both Ioincture and dower of her husbãds lands

forme

forme aboue expreſſed, or to any other perſons &c. to the vſe of the ſayd huſband & wife, or to the vſe of the wife, as is aboue rehearſed for the Ioynture of the wife, then in euery ſuch caſe, euery woman maryed hauing ſuch Ioynture made, ſhall not clayme nor haue title to haue any dower of the reſidue of the lands, tenementes or hereditamentes that at any time were her ſaid huſbands, by whom ſhe hath any ſuch ioynture, nor ſhal demand nor claime her dower againſt the that haue the lands and inheritance of her ſayd huſband, But if ſhee haue no ſuch Ioynture, then ſhe ſhalbe admitted to haue & demaund her dower by writte of Dower, after the courſe of the common lawes. 27. H. 8. 10.

If a womans ioynture be euicted ſhe ſhal be endowed.

5 ¶ But if any ſuch woman be lawfully expulſed or euicted from her ſayd Ioynture, or from any part therof, without any fraud or couin by lawfull entre, accion, or by diſcontinuance of her huſband, then ſhee ſhall be endowed of aſmuch of the reſidue of her huſbandes tenementes or hereditaments, whereof ſhe was before endowable, as the ſame landes ſo euicted &c. ſhall extende vnto. 27. H. 8. 10.

A woman may chooſe whether ſhe will take a ioynture aſſured after mariage or her dower.

6 ¶ Prouided, that if any wife ſhal haue any lands, tenements or hereditaments vnto her giuen or aſſured after mariage, for terme of her life, or otherwiſe in Ioynture (except the ſame aſſurance be to her made by Act of Parliament) and the ſaid wife after that ſoeuer to ouerliue the ſame her huſbande, in whoſe time the ſayd Ioynture was aſſured vnto her, then the ſame wife may at her libertie, after the death of her huſband, refuſe to take the lands ſo to her giuen during the couerture in Ioynture (except &c.) and thereupon demaund and take her dower by writ of dower, or otherwiſe according to the common lawe of and in all ſuch lands, tenements and hereditaments, as her huſbande was ſeiſed of any eſtate of inheritance at any tyme during the couerture. 27. H. 8. 10.

Dower, vnde nihil habet.

7 ¶ A writte of dower vnde nihil habet, ſhal not be abated by the tenants exception, for that the woman hath receiued her dower of an other man, before the writte purchaſed, if he cannot ſhewe that ſhee hath receiued part of her dower of himſelfe, and in the ſame towne, before the writte purchaſed. Weſt. 1. 3. Ed. 1. 48.

A woman endowable of lāds which be recouered againſt the huſband, by collu-ſion or default.

8 ¶ If a man being impleaded of a tenemēt doth plainly yeeld it to his aduerſary, or doth loſe it by default, in both caſes after ye death of the huſband, the wife ſhalbe allowed to bring her writte of dower. And the tenant which recouered by default in the ſuit commenced againſt him, ſhal ſhew his right, that he hath in ye land, according to his former

former writte, whereby he recouered against the husband. And if he can shewe that the womans husband had no right in the lands in demand, nor any other but himselfe, he shall go quite, & he shal recouer nothing by her writ of dower. But if he cannot shewe it, the woman shal recouer her dower. Littl. 2. 13. Co. 1. 4.

1 For Dowment by the custome of gauelkinde, & what cause of forf. thereof. S. Prerog. 16.

2 That the Queene shall haue the reuersion, if tenaunt in dower die, during the minoritie of her ward. S. Willes, 9.

3 For admeasurement of dower by the gardein or heire. S. Admeasurement. 1.

4 That where the Queenes tenaunt in chiefe doeth intrude and dye, his wife shal not be endowed. S. Prerog. 13. Liuerie. 2.

5 That the grauntee or committee of a Warde shall not haue aide of the Queene in a writte of dower. S. Ayde &c. 2.

6 Where a woman aliening her dower, or other particular estate he in the reuersion may enter or haue his action. S. women. 1. 2.

A Table

A Table declaring the length, breadth and weight of all wollen cloth which is allowable to be made within England and Wales, to be put to ſale.

	Length.	Breadth.	Weight.	Star.
1 Cloth of Ray to be meaſured by the liſt, and the D. cloth according to the rate, ſhal vpon payne of forfaiture of the ſame, containe	28. yards & beyng watered 24.	6. quarters,		2. Ed. 3 15. 7. H. 4. 10. 13. H. 4. 4.
2 Euery peece of whyte playne ſtraytes made in the countie of Deuon & Cornewall, readie dreſſed, to put to ſale, ſhall vpon payne of forf. of them or the value, cõtayne	12. yards at the leaſt,	1. yard at leaſt.	11. poũd at leaſt,	7. Ed. 6. 9.
3 Euery piece of white pinned ſtraites made in the ſayd counties &c. ſhal vpon payne of forf. of them, containe	11. yards at leaſt,	3. quarters,	8. pound	7. Ed. 6.
4 Euery peece of Lancaſhire Cottons (which ſhall not be ſtrayned vpon the Tayntors aboue one nayle in breadth) beyng ſufficiently milled and thicked, cleane ſcoured, well wrought, and fully dryed, ſhal vpon payne to forf. for euery pound weight lacking vnder 3. xii. d. and for euery pounde aboue v. s. containe &c.	21. or 20 goads at leaſt,	3. quarters, or vvithin one naile at leaſt,	21. poũd at leaſt,	8. El. 12
5 Euery peece of Lancaſhire Frizes or rugges being vt ſupra, ſhall vpõ the paine aforeſayd, containe If any of the ſaid Cottons, frizes or rugs ſhalbe of any greater lẽgth, Then euery yard ſo exceeding, ſhall waygh after ſuch rate as &c. vpon payne of	betwixt 35. & 37 y.	3. quarters at moſt or within one naile at leaſt.	43. poũd at leaſt,	8. El. 12

	Length.	Breadth.	Weight.	Stat.
of ſort, for euery yarde, not weighing after the rate, xii.d.				
6 Euery peece of broade cloth made in Kent, Suſſex, Reding, or els where of like making, as the clothes made there, ſhal containe	betvvixt 28.&30. y. vvette.	7. quarters at leaſt vvithin the liſtes.	86. pound thicked and fully dryed.	5. E. 6. 6. 4. & 5. P. & M. 5.
7 All white clothes made in the City of Worceſter, called long worceſters, and all clothes of like making made in Couentrie or elswhere ſhal containe	betvvixt 29.&31. y. vvette.	7. quarters at leaſt vvithin the liſts.	75. pound ſcoured & dryed.	5. E. 6. 6. 4. & 5. P. & M. 5.
8 Coloured clothes made in Couentrie & Worceſter, or els where of like making, ſhal containe	betvvixt 29.&31. y. vvette.	7. quarters at leaſt vvithin liſtes.	80. p. at l. thicked & dryed.	5. Ed. 6. 6.
9 Short Worceſters made in the Cities of Couentrie & Worceſter, or els where of the ſame ſort, ſhal containe	betvvixt 23.&25. y. vvette.	7. quarters at leaſt.	60. pound ſcoured, thicked & dryed.	5. Ed. 6. 6.
10 All coloured lōg cloths made in Suff. Norff. & Eſſex, or els where of like ſort, ſhall containe	betvvixt 28.&30. y. vv.	7. quarters at leaſt.	80. p. at l. ſcoured, thicked & dryed.	5. Ed. 6. 6.
11 Euery coloured ſhort cloth made in Suff. Norff. and Eſſex, or els where of like ſort ſhal containe	betvvixt 23.&25. y. vv.	6. quarters and d. vvet.	64. p. at l. ſcoured thicked & dryed.	5. E. 6. 6. 4. & 5. P. & M. 5.
12 Euery coloured cloth made in Suff. Norff. & Eſſex, or els where of like ſorts, called handiwarps, & all whites there made or els vvhere, as Cockſale vvhites, Glainsford and other handivvarpes, ſhall containe		7. quarters out of water.	euery y. 2. p. & d. at leaſt ſcoured, thicked & dryed.	5. E. 6. 6 4. & 5. P. & M. 5.

	Length.	Breadth.	Weight.	Stat.
13 All whites & reds made in VViltshire, Glou. & Somerset shire, or els where of like making, and all other whites made in any other part of the Realme not before remembred shal containe	betvvixt 26. & 28. yardes.	7. quarters at leall.	whit. 61. p. colou-red 60. p. scoured, thicked & dryed.	5. E. 6. 6. 4. & 5. P. & M. 5.
14 All broad Plunkets, Azures, Blewes, and other coloured cloth made in wiltsh. Glouc. and Somersetshire, or els where of like making shal containe	betvvixt 25. & 28. y. vvette.	7. quarters at least.	88. p. at l. scoured thicked & dryed.	5. Ed. 6. 6.
15 Euery course short cloth made in Suff. Norf. & Essex or els where of like sort, & euery course cloth made in Ket not exceeding the price of vi. li. shal containe	betvvixt 23. & 25. y. vv.	6. quarters and d. vvet. vvithin the lists.	64. p. at l. scoured, thicked & dryed.	4. & 5. P. & M.
16 All Karsies called ordinaries, shall containe	betvvixt 16. & 17. y. vv.		19. p. at l. S. T. and D.	5. E. 6. 4. & 5. P. & M.
17 All sorting Karsies shall containe No perso vsing the trade of making of Karsies, shall purposly make any karsies, aboue the lēgth of 18. yards at most, vpon payne of forf. xl. s. to the Q. & I. 14. El. 10.	betvvixt 17. & 18. y. vv.		22. p. at l. S. T. and D.	5. E. 6. 4. & 5. & M.
18 Euery Deuonshire Karsie, called Dozen, shall containe	betvvixt 12. & 13. y. vv.		Euery y. 1. p. at l. S. T. & D	5. E. 6. 6. 4. & 5. P. & M.
19 Al broad cloths made in Tauntō, Bridgwater, & other places of like sort shal cōtaine	betvvixt 12. & 13. y. vv.	7. quarters.	34. p. the pece at l. S. T. & D	5. Ed. 6. 6.
20 Euery narow cloth made in the said towns or els where of like sorts shal containe	betvvixt 24. & 25. y. vv.	1. yard.	34. p. at l. S. I. & D	5. Ed. 6. 6.

	Length.	Breadth.	Weight.	Stat.
21 Al clothes named Check Kerſeis and ſtraites ſhall conteine	betvvixt 17.& 18. y. vvette.	1 .y. wet at leaſt.	24.p. the piece at l. S.T.&D.	5.E.6. 6.
22 Euery goade of Welſh lining ſhall conteine		3. quarters wet.	1.p.& d. quarter.	4.& 5.P. & M.5.
23 Euery yard of Cotton being fully wrought and cottoned, ſhall conteine			1.p.at l.	4.& 5.P. & M.5.
24 Al Welſh frizes wrought within the ſhires of Cardegã, Carmerden,or Pembroke, or els wher of like making,redy to be ſold for a whole peece, & euery halfe peece of Welſh frizes accordingly,ſhal cõtein	36.yards wette at moſt.	3. quarters of a yard.	48.pond the piece at l.	5. Ed. 6. 6.
25 Euery Northerne cloth, ſhall conteine And euery half peece called douzens, ſhall conteine the ſame bredth, and halfe the ſame length and waight.	betvvixt 23.&25. y.	7.quarters of the y.at leſt wet.	66.p.the peece at l.S. T. & D.	5. Ed. 6. 6.
26 All cloth called Peniſtones or foreſt whites, ſhall conteine	betvvixt 12.&13. y. vvette.	6. quar. &.D.out of water.	28.p.the piece at l. S.T.&D	5. Ed. 6. 6.
27 Al Cottons called Mãcheſter & Cheſhire Cottons, fulwrought to the ſale(which may be deuided vnto two halfpeeces,and ſhal conteine ſuch bredth and waight, as is limitted to a whole peece, 4.& 5.P.& M.5.)ſhal cõteine	22. goads.	3. quarters wet.	30.p.the peece at leaſt.	5.E.6.6.
28 All clothes called Manchester Ruggs or Manchester frizes (which may be deuided into two halfe peeces,& ſhall cõtein ſuch bredth & waight, as is limitted to a whole piece 4.& 5.P.& M.5.)ſhal cõteine	36. yardes.	3.quarters wet.	48.p.the peece at l.wroght & dried.	5.E.6.6.

Forf. for default of weight or measure.

29 ¶ Euerie person which shall make or cause to be made, any of the seuerall kinds of brode clothes aboue rehearsed of any shorter or longer measure then is aboue specified in the statute made. 5. Ed. 6. and 4. and 5. P. and M. and appointed for euery country, or seueral kind of clothes to be made, or make any such cloth of lesse breth, being wel scoured, thicked, milled, and fully dried, then is aboue specified, & appointed for euery seueral country or kinds of clothes, and shall put the same to sale, shall forfait for euery such default of euery cloth sold or offred to be sold in length or breth xl. s. And euery person which shall make or cause to be made any of the seueral kinds of kerseys, narrow clothes, straites, douzens, frizes or cottons abouemencioned, which shall not be made in such maner and forme, as is aboue said, nor containe in length and breth seuerally appointed as is aboue specified, shal forfait for euery peece of such cloth so made sold, or offered to be sold xx. s. And if any such cloth or kersey shall lack of such waight, as by ỹ said statute it is appointed to haue: The the maker thereof, or other person in whose possession the same be found, shal forf. for euery pound lacking aboue iiii. pound v. s. & also for euery pound not exceeding iiii. li. ii. s. to ỹ Q. & I. to be recouered by A. I. &c. wherin no W. &c. E. P. &c. 5. Ed. 6. 6. 4. & 5. P. & M.

Cloth exceeding the appointed length.

30 ¶ If any brode cloth shal exceed the seueral length before appointed, by meanes of the finesse, or the good & stuffie making of the same, then the maker thereof shall not incurre any penalty for the uer length of any such fine cloth. 5. Ed. 6. 6. And if any cloth or kersey of the seueral kinds of makings mencioned in the foresaid statutes 5. Ed. 6. and 4. and 5. P. & M. do exceed the seueral lengths mencioned in the same: then euery yard so exceeding, shall weigh after such rate, as euery yard of such cloth or kerseis conteyning ỹ said seueral lengths, shall or ought to weigh, vpon paine of forfaiture for euery yard not weighing after such rate. v. s. 5. Ed. 6. 6. 4. & 5. P. & M.

The Draper shal try ỹ cloth and present the faultie.

31 ¶ No Draper, Marchant taylor, cloth worker, or other person which shall retaile any of the clothes or kerseis, frizes, rugges or cottens of the seueral makings specified in the act made. 5. Ed. 6. shall put to sale any of the said clothes, whereunto the Alneger shal haue set the Queenes seale, and the owner his seale, til he haue made triall as wel by the water as by the weight and measure, whether they shall be made according to the purport and true meaning of the said act or no. And if any person shall finde any defectiue or faultie cloth, in length, weight or measure, made contrary to ỹ orders aforesaid, then he shall present euery such cloth, to euery Maior, Bailife or other

head officer or head officers of euery city, borough, or towne corporat, or to the two Iustices of peace next adioyning out of a city, borough or towne corporat where such cloth shalbe found faultie, to the intent the same cloth may be cut into three equal peeces, ỹ one peece thereof to be forfait to the Queene, an other to the presentor thereof, and the third part residue to such person or persons as it shal then be presented to, vpon paine that euery such person as shall so serch euery of the clothes, kerseis, cottons or frizes aforesaid, so by him bought and sold, and shal not seise and present such cloth as he shal find defectiue, shall forfait ỹ double value of euery such cloth. 5. Ed. 6. 6. 25. Ed. 3. 1. S. 53.

Repayment of money receiued for faulty cloth

32 ¶ Euery Clothier or other person whatsoeuer, which so shal sell any such faultie kersey, cotton or frize, whereunto the aulneger and the owner shall haue set to their seales, and shall so be seised as is aforesaid, shal within xiiii. dayes next after request made by writing, message, or otherwise by such person which shall so buy such cloth, make paiment of such summes of money as he receiued for ỹ same, or shall otherwise satisfie, discharge and acquit him for so much money, as he shal or should haue receiued for the same, vpon paine of forfaiture to the P. greeued for euery non paiment, or not acquital, the double value of the money so receiued, &c. to be recouered by A. B. P. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6. S. 53.

Serchers of cloth.

33 ¶ Aswell the Maior of London and Aldermen, or the more part of them, as euery other Maior, Bailife, and head officer of euery citie, borough, or towne corporat within this realme, shall from time to time appoint two, or mo honest discrete and expert persons, which shal from time to time vpon their othes viewe and search all clothes that shalbe dressed, died or pressed with the cold presse, within euery such citie, borough, towne corporat, or port town, and view and serch whether ỹ same clothes be wel and sufficiently dressed & pressed with the cold presse, without putting thereto flocks solace, chalke, flowers or any other deceitfull thing, and also whether the same shalbe well died with good & perfect colours without any deceiueable thing, or whether it shalbe streined any more then in this statute is specified, & shall haue power to enter into euery persons house where they shall thinke meet, to serch and seise euery such cloth as they shal find defectiue in the premisses, in whose hands soeuer they shalbe foũd, as forf. to the Q. and to the Maior & cõminaltie of the citie, borough, towne corporat, port towne or market towne where the same shalbe seised. And euery person in whose possession such defectiue or faulty cloth

Deceitfull things put in cloth.

either by euil dying, melling or pressing, shalbe found & seised, shal haue his remedy (by A. I. &c. wherein no Wi. &c. E. P. &c.) against euery such person by whose defaultes or negligence such cloth shall so be found faultie, and shall thereby recouer all such costes, losses and damages as he shall sustaine by occasion thereof. And euery Maior, head officer, &c. of any Citie, borough, or towne corporat, in which any clothes shalbe made, died, melled, or pressed with the cold presse, which doe not appoint so many searchers as shalbe requisit to search and view clothes vpon their othes, shall forfait for euery default x.li. to the Q. and I. to be recouered by A. I. &c. wherein no Wi. &c. Essoine, P. &c. 5. Ed. 6. 6.

A seale of lead in euery corporat towne.

34 ¶ Aswel the Maior of London, as euery other Maior, Bailife, portriue, or other head officer of euery Citie, Borough, Towne corporat, or port towne, shall cause to be prepared a Seale of lead, wherein aswel the armes, as the name of euery such Citie, borough, towne, &c. shalbe grauen, which the same searchers shall cause to be fixed to euery cloth that they shall finde well and sufficiently melled died and pressed, with the cold presse without any of the disceiptes foresaid, and shall haue for their paines by the owner thereof for the sealing of euery cloth ii.d. 5. Ed. 6. 6.

The sealers for sealing of faultie cloth.

35 ¶ If any searchers doe finde any of the clothes being coloured or died, either cockly, pursly, baudy, squaly, or rowie, or euil boiled, or wasted in the mill, or full of holes, or hackes, then they shall besides the seale of the Citie, Borough or Towne corporat where the same cloth shalbe found, put another seale of lead, at euery end of the said cloth, wherein shalbe grauen the letter (F) and shall also set a marke in the list, right against such place where any of the faultes aforesaid shalbe, with the print of a letter or marke of a ynche compasse, at the least, whereby euery Buyer may well know what and where the fault is. And if any of the foresaid searchers doe set the seale of any Citie, Borough, &c. to any cloth which shall haue any of the foresaid faultes, and doe not set at euery end of the clothes one seale with the letter (F.) Then the comminaltie of euery such Citie, Borough &c. where such searcher shalbe appointed, shall forfait for euery such omission fiue pound to the Queene and Informer, to be recouered by A. I. &c. wherein no Wi. &c. E. P. &c. 5. Ed. 6. 4. & 5. P. & M. 5.

Cloth sealed in one Borough, shal not be searched in an other.

36 ¶ The seale of euery borough or towne corporat, appointed for the sealing of any kind of cloth, shalbe fixed to euery such kind of cloth being wel made within such City, borough or towne corporat, which

which cloth so sealed with the seale of any citie, borough, or towne corporat, shall not be searched, tried or viewed by any searcher or sealer of any other citie, borough or towne corporat, by vertue of his said office. 4. & 5. P. & M. 5.

37 ¶ If any of the said searchers so appointed by the Maior, Bailife or other head officer of any citie, Borough, or towne corporat, having no reasonable excuse, doe refuse to be a searcher and doe not vse the office of a searcher, he shall forfait for euery such refusall and not executing of his office v. li. to the Queene, and the vse of the comminaltie of euery citie, borough &c. where he shalbe assigned, and also shall remaine in warde, til he hath payed the said forfaiture, or otherwise put in sufficient bond for the satisfaction of the same. 5. Ed. 6. 6. Refusing to be a searcher.

38 ¶ The searchers or sealers and euery one of them, haue autorite in the day time, to enter into euery house of euery person, where he or they shal thinke meet, to search, and to trie euery kind of clothes, karseis, frizes, and rugges, as they shall find defectiue, either in length, bredth or waight, & the same to trie by water and waight, and also to search and seale as forfait euery cloth made of other colours then in this act is appointed. 4. & 5. P. & M. 5. The searchers or sealers may enter into euery mans house.

39 ¶ If any person shal deny, withstand, or withhold any clothes, karseis, frizes or rugges, from the said sealers or searchers, or any of them, or will not suffer them to enter into their shoppes, warehouses, houses or places where their clothes &c. shalbe, the same to be searched and tried as is aforesaid, Then he so denying or withstanding, for euery such withstanding, withholding or denial, shall forfait x. li. to the Q. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 4. & 5. P. & M. 5. Denying of search.

40 ¶ It shal not be lawful for any of the said Searchers or sealers, or any other person, to search any wollen cloth or kersey where vnto the seale of a citie, borough, or towne corporat shalbe fixed within the cloth market of London called Black wel hall, or in any common cloth faire, or cloth market, of any other citie, borough, or towne corporat, in & during the time of ỳ faire or market. 4. & 5. P. & M. 5. No cloth which is sealed shalbe searched in a market.

41 ¶ If any person shall by himselfe, or by any other person by him procured, counterfait, set to, or take away from any cloth, kersey, frize, rugge, or cotten, any seale appointed to be fixed to the same, by either of the statutes made 5. Ed. 6. & 4. & 5. P. & M. Then he shall forfait for the first offence, (being thereof duly conuicted by verdict of xii. men, or by two sufficient witnesses, or by confession of the Coũterfeiting or taking away a seale.

partie) x.li. And for the second offence being likewise conuicted, shall sit on the pillory, and forfait to the Queene all such his goods and cattels (his debts being truely payed) as he shall haue at the time of his conuiction. 5.Ed.6.6.4.& 5.P.& M.5.

No cloth retailed but which is sealed.

42 ¶ No person which commonly vseth to retaile cloth or kersey, shal put to sale ingrosse, or by retaile to any person, any maner of cloth being dressed, died, and pressed, except there be fixed thereunto at euery end of the same cloth the seale of such Citie, Borough or towne corporat where the same cloth shalbe so died, dressed and pressed, or the seuerall seale of euery such Citie, Borough or towne corporat, where it shalbe died, dressed or pressed, to remaine at the last end of euery of the said cloth, which shalbe sold during all the time that any peece of such cloth is to be sould, vpon paine of forf. the whole value of such cloth to the Q.& I. to be recouered by A.I.&c. wherein no W.&c. E.P.&c. 5.Ed.6.6.

Straites made in Deuon and Cornewall.

43 ¶ The owners of all white plaine straites, and white pinned straits made within the counties of Deuon & Cornewal, shall bring the same clothes to ỹ next Citie, Borough or towne corporat, wherin the same shalbe fully dressed & made, there to be measured, waighed and sealed, with a seale of lead fixed to euery of ỹ said peeces of cloth, in which seale the Armes or names of euery such Citie &c. shall be grauen, And the Maior of euery Citie &c. where the same cloth shalbe brought, shal appoint & swere two officers for the true waighing, measuring, and sealing thereof, And the same officers shall haue for their waighing, measuring and sealing, of euery peece of the said clothes ob. and no more, And euery clothier which shal put any of the clothes aforesaid to sale, or offer the same to be sould before the same be waighed, measured and sealed as is aforesaid, shal forfait for euery such default the cloth sold or offered to be sold, to the Q. and I. &c. to be recouered by A.I.&c. wherein no W.&c. E.P.&c. 7.Ed.6.

Bridgewater, Tãton, Chard clothes.

And euery person dwelling within the countie of Somerset, which shall put to sale any wollen clothes, commonly called Bridgwater, Tanton, and Chard clothes, or clothes of like making, nature, and forme made within the said countie, except such cloth be first viewed, searched, and seene in one of the boroughes of Bridgwater, Tanton or Chard, and sealed with the seales of one of the said Boroughes or Townes, according to ỹ foresaid statute. 5.Ed.6. shall forf. the cloth sold, or ỹ value thereof, to the Q.& I.&c. to be recouered by A.I.&c. wherein no W.&c. E.P.&c. 2.& 3.P.& M.12.

44 ¶ Euery person not dwelling within any Citie, borough or Towne

Towne corporat, and making any of the clothes or kerseis aforesaid, may lawfully bring the same to the next Citie, borough or corporat towne where any such kinde of clothes or karseis be cõmonly made, there to be sealed in maner and forme aforesaid, 4. & 5. P. & M. 5.

Clothes brought to a towne corporat to be sealed.

45 ¶ If any searcher or sealer appointed by ẏ aforesaid statutes of 5. Ed. 6. & 4. & 5. P. & M. shall set the seale of any Citie, borough, or towne corporat, to any cloth which shal not containe such length, waight & breadth, as in ẏ said statutes is appointed, then ẏ corporation of ẏ towneship, where such cloth, kersey, frize, cotton or rugge shalbe so sealed, shal forf. ẏ whole value of ẏ cloth so sealed. 4. & 5. P. & M. 5.

Sealing of cloth which lacketh length, waight, breadth.

46 ¶ If any of the searchers aforesaid, shal set the seale of any citie, borough, towne corporat, or port towne to any coloured cloth which shal not be sufficiently dressed, died, pressed and wrought, as is aforesaid, Then the corporation of ẏ towneship, where such cloth shal so be sealed, shal forf. the whole value of ẏ cloth so sealed, 5. Ed. 6. 6.

Sealing of cloth not sufficiẽtly died, dressed, wroughe.

47 ¶ In euery town, village or hamlet, being not corporat, where any cloth shalbe made or sold, the Justices of peace, of the same shire where any such towne, village or hamlet is, or .ii. of them at the least, shal haue ful power once euery yere to call before them, by their precept or otherwise 2. 4. 6. 8. or more as they shal thinke good, of ẏ most honest, discreet & indifferẽt men of euery such town &c. and them shal appoint to be ouerseers for one whole yere then next following wthin the towne, village or hamlet, where the same ouerseers shalbe dwelling, charging them vpon their othes &c. ẏ they do endeuour themselues for ẏ yere, asmuch as in thẽ shal lye, to see ẏ the stat. of 3. Ed. 6. prouided for the true meaning of wollen clothes, be truely obserued within the limits of their charge, in euery part thereof, 3. Ed. 6. 2.

Ouerseers appointed by the Justices.

48 ¶ The same ouerseers, or two of them, shall euery quarter of the said yere at ẏ least, or so often as need shal require by their discretions, visite & goe into euery clothiers, drapers, clothworkers, diers, and pellors houses, shops, & other places, where cloth, or died wooll shalbe, and there make due search, and view the clothes and woolles made or died, or remaining to be sold, and to search and trie, whether the said clothes, be drawen or strained or falsly died. 3. Ed. 6. 2.

The authorities of ouerseers.

49 ¶ If any of the said persons so commanded to appeare, to be made ouerseers, hauing no reasonable excuse, do refuse to come & to take vpon him to be an ouerseer, Then euery such person shal forfait for euery such refusing xl. s. to the Queene & to the Justices of peace by whom he was commanded to appeare, or to be an ouerseer, and shall remaine in the ward of the sherife vntill he hath payed the same

The forfaiture of them which refuse to be ouerseers.

forfaiture, or otherwise put in sufficient band for the satisfaction of the same. 3.Ed.6.2.

The punishment of the ouerseers which do not make search.

50 ¶ And if the same ouerseers, or two of them at the least, doe not once euery quarter of the yere make due search for the true executing of this statute, then euery of the said ouerseers shall forf. for euery such default x.li. to the Q. and I. &c. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 3. Ed. 6. 2.

The forfait of them which interrupt the ouerseers.

51 ¶ And if the same ouerseers shalbe interrupted, and not suffered to enter into the said houses, shoppes, or other places, where any such clothes, or wolls shalbe made or dyed, or any other of the said defaults shalbe committed, there to make search for the better executing of this statute, Then euery one that so shal make any such interruption, shall forfait xx.li. to the Queene and to the said ouerseers, to whom any such interruptiō shalbe made, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 3. Ed. 6. 2.

Within what time that suit shalbe commenced.

52 ¶ Prouided that no person shal take any aduauntage of any the said forfaitures, by reason of this statute of 3. Ed. 6. vnlesse he commence his suit within one yere next after the said offences & forfaitures committed 3. Ed. 6. 2.

The clothiers marke.

53 ¶ Euery clothier shall weaue, or cause to be wouen his seuerall token or marke, in euery cloth, kersey and other clothes whatsoeuer they be, made to be vttered and sold, and when any cloth shalbe ready made and dressed to be put to sale, euery of the same clothiers shall set his seale of lead vnto euery of them, in which seale shalbe contained the iust length of euery of the same clothes or kerseis, as it shalbe found by euery buyer of the same, vpon due proofe thereof to be tryed by the water. And in case vpon any such proofe to be made by any buyer of them at the water, there shalbe found lesse content in length then is contained in euery of their said seales, Then euery of the said clothiers shall forfait vnto euery such buyer of the same the double value, of so much cloth as shall want of his said content in length, at the onely sight and Iudgement of any two indifferent persons that shall measure the same, And euery Clothier putting his cloth to sale, before it shalbe sealed by the Aulneger, and marked in fourme aforesaid, shal forf. his cloth to the Q. and I. &c. to be recouered by Accion, Information, &c. wherein no Wager &c. essoine, protection &c. 27. H. 8. 12. S. 31. & 32. et Quere whether the clothier shal forfait the double value or the cloth or both.

Aulnegers seale.

Quere.

No clothier shal vse an others marke.

54 ¶ No person shall vse any marke vpon his clothes such as an other doeth, and hath vsed before him, vpon paine of forfaiture of euery

euery of the saide clothes, to the Queene and to him that wil seal them. 5.H.8.2. 6.H.8.8.

55 ¶If any cloth or kersey through the defaulte or negligence of the carders, spinners, or weauers, shall proue either pursy, cockley, baudy, squally or rowy, by warpe or woofe, or els shall happen to be euill burled or wasted in the mill, or else through the defaulte of the mill man, or otherwise to be full of holes, milbrackes, or to be holie, then the maker thereof shall fixe vnto euery ende of the sayde cloth or kersey, so being defectiue and faultie, and offered to be solde, one seale of lead, in the which seale shalbe ingraued this word (Faulty) vpon paine of forfeyt. of such cloth or kersey, or ẏ value therof, so offred to be sold, whereunto such seale shall not be set, 4.E.5.P.& M.5 Faulty cloth.

56 ¶If it shall fortune any marchant to transport any clothes, kerseis, fryses or cottons, whereunto the seale w̄ this word (Faulty) was not annexed, at the time of the sale thereof, by the clothier, & the same so transported, or any of them to be found faulty or defectiue, & the same marchant thereof w̄in two yeres after such sale to bring a certificat sealed with the seale of any town, or company in the parties beyond the seas or signed by a notarie there, after the accustomed maner, declaring thereby the losse which the marchants shall haue sustained by such defectiue & faulty cloth so transported, Then the clothier or other persō of whom the cloth was bought, their executors or administrators shal w̄in vi. weeks, next after request made by ẏ said marchant, his executors, administrators or assignes, truely pay to such marchāt, his executors, administrators or assignes, euery such sūme of money as shall so be declared in the said certificat, vpō paine of forfeyt. to the party greeued for euery non payment vpon such request, double the value of such sūme mentioned in the said certificat, But such marchant shall not haue by vertue of this act, any recompence for lacke of length, bredth or weight of any cloth whereunto the seale of any Citie, Borough or Towne corporat shall be fixed. 4.& 5.P.& M.5. Faulty cloth transported.

57 ¶The wool which shalbe deliuered, for, or by the clothier to any person, for breaking, keimbing, carding or spinning of the same, shalbe by euen, iust, and true pois and waight of haberdepois sealed by authority, not exceeding in waight after the rate of twelue poūd seimed wooll, aboue one quarter of a pounde for the waste of the same wooll, and in none other maner. And the breaker or keimber shall deliuer againe to the same clothier the same wooll so broken and kempt, and the Carder and Spinner shall deliuer againe The weight of the wool delyuered by the clothier to the carders and spinners, and by them redeliuered.

to

to the sayde Clothier, yarne of the same wooll by the same euen pois and weight (the waste therof excepted,) without any part therof concealing, or any more oyle, water, or other thing put thereunto deceiuably, vpon paine to forf. to the lord of the leete, within the precinct wherof such default is done, for euery such default xii.d. vpon due proofe of such deceipt, before and by discretion of the Maior, bailiffe or other head officer of the citie, borough or towne where the disceipt shall appeare, calling to him such persons, as shal seeme to him conuenient for the proofe of such disceipt. 6.H.8.9.

Occupiers of welsh cloth, shall pay the Sheremen redy money.

58 ¶ Euery person occupying the trade of buying & selling of welshe cloth and linings, within the towne of Shrewesbury in the county of Salop, which doth deliuer the same to be cottoned, frized, dressed or wrought, to any sherman Cottoner or frizer, and doth not pay to the same sherman &c. ready money for all his said worke, without any colour, fraud, or ingin whatsoeuer, and without want of other thing in satisfaction of his said worke, or any part thereof, shall lose all his liberties & freedomes of the fraternitie of drapers, & euer after be excluded & disabled by him selfe or any other for him to occupie or inioy the trade of buying and selling of welsh cloths or linings. 8.El.7. 14.El.12.

No retailor of lining frises or cottons, shall worke the same.

59 ¶ No person which shall buy to sell againe by way of retaile or otherwise, any welsh linings, shall dresse or worke, or cause to be dressed or wrought, within his dwelling house, or in any other places, any of the said welshe linings, but shall put the same to some such person as shalbe of the science of Sheremen, Cottoners, or frizers to be by them wrought and dressed, vpon paine of forf. for euery welsh cotton, or lining frized, or cottoned to the contrary vi.s.viii.d. 4.& 5.P.& M.5. and if any person dwelling within the towne of Shrewesbury in the county of Salop, or the liberties of the same, vsing the trade of buying of frizes, cottons, or plains, doeth exercise the facultie of frising or cottoning, he shall forf. for euery peece vi.s. viii.d. to the Q. and I.&c. to be recouered by A.I.&c. wherein no Ell. E.P.&c. 8.El.7. 14.El.12.

Haire, flocks, lambes wool.

60 ¶ No person shall put any haire, flockes, or any yarne made of lambs wool into any cloth, kersey, frise, or cotton so made & sold, or offered to be sold, vpon paine to forf. euery such cloth, kerseys, frises and cotton wherin any such yarne, haire, or flockes shalbe put, or the value thereof, to the Q.& I. to be recouered by A.I.&c. wherein no Wl.E.P.&c. 5.Ed.6.6. But it shalbe lawfull for any person inhabiting within the counties of Deuon or Cornewall, to make white

white plaine straits, and white pinned straits, with haire, flockes, or yarne, made of lambes wool, or otherwise, without any penaltie of forfeiture thereof. 7. Ed. 6. 9.

61 ¶ No person shall straine, or cause to be strained any cloth, aboue one yard in length, & one halfe q. in breadth, vpon pain to forf. for euery such default v. li. And no person which shall haue or occupie any tentour, shall haue or occupie any winch, rope, or ring with the same taintour, or shal vse any other engin, vnlawfully to straine, or stretch any cloth, vpon paine that euery offendour, that shall vse or occupie any tentour, or other engin to the contrary shal forf. xx. li. to the Q. & I. to be recouered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 6. Straining or stretching of cloth.

62 ¶ No person shall presse any kinde of cloth, with the hote presse, or in any other kinde of deceiueable maner, but only with the cold presse, vpon paine of forf. of ỹ whole cloth so pressed, or the value thereof, to the Q. & I. to be recouered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 6. Pressing of cloth.

63 ¶ No person shall boyle, or cause to be boyled, any wolles to be conuerted into any kinde of broad cloth, or kersey, with any kinde of gaules, rindes, barkes of trees, or sawdust, vpon paine to forf. all such wool or the value thereof, to the Q. & I. to be recouered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 6. Boiling of wool.

64 ¶ No person shall adde vnto any cloth, any counterfait lyst like vnto the making of Cocksal, Bocking, or Braintry clothes, commonly called handy warps, except the warpe thereof be sponne vpon the distaffe, vpon paine of forfaiture of the same cloth, or the very value thereof, But the cloth makers with in the city of Worcester may make such lists as they haue done heretofore. 4. & 5. P. & M. 5. Lists of Cloth

65 ¶ No person inhabiting within the westriding in the county of Yorke, shall make, or cause to be made any broade clothes, called Bewkes, Tawnies, violets, or greene, except the wooll thereof, (before it be conuerted into yarne) be first died, litted, and coloured, with the colour blue, of the value of ii. d. a pound, vpon paine of forf. of euery such coloured cloth, whereof the wool shall not be first died, & the value thereof, to the Queene and Infourmer, to be recouered by Accion, Infourmation &c. wherein no Wager, Essoine, P. I. &c. 4. & 5. P. & M. 6. Clothes made in the westriding in Yorkshire.

66 ¶ Welshe Clothes called whites, russets, and kennettes, made in North wales, and Dycester hundred, that shall be brought Folding of welshe cloth.

to

Folding of welsh cloth. to any common markets or faires to be vttered and solde, shall be foulded either in plaits, or cuttell, as the clothes of all other countries of this Realme are vsed, to the intent ỹ buyers may perceiue ỹ breedth and goodnesse thereof, vpon paine of forfaiture of euery piece wrought to any market or faire to be sold contrary to the forme aforesaide, to the Q. and I. to be recouered by A.I.&c. wherein no W.E.P.&c. 33.H.8.3.

Colours of cloth. 67 ¶ No person shal put to sale within the Realme of Englād, any coloured cloth of any other colour, or colours, then scarlet, red Crimson, Murrey, Violet, Pewke, Brownebleu, Blacke, Greene, Yelow, Blewe, Orichtawny, Russet, Marble, Grey, Sad Newcolour, Azurie, watched, sheepes colour, Lyon colour, Motley, yron Grey, friers Grey, Crane colour, Purple, and olde Medley colour, most commonly vsed to be made aboue and before xx. yeres last past 4. and 5. P. and M. 5.

Dying of clothes. 68 ¶ No person occupying the feat of dying, shall dye, or alter into colours, or cause to be dyed, &c. any wollen clothes, as Brownblewes, Pewkes, Tawnies, or violets, except the same be perfectly boyled, Grayned, or maddered vpon the Woad and shot with good and sufficient corke or orchall, after a due substantiall and sufficient maner of workemanship, according to the auncient workemanship in time past vsed; vpon paine for euery default to forf. xx.s. Nor any person shall die any wool to be conuerted into cloth, called russets,

Dying of wool musters, marbles, Grayes, rayes and such like colours, or to be conuerted and made into hattes, or cappes, vnles the same wool be perfectly woaded, boyled and maddered, according to the true and auncient vsage, vpon pain of forfeiture for the false dying of euery such cloth, or of as much wool as shal serue for the making of euery cloth contrary to the true meaning hereof, fourty shillings. Nor shall he with brasell to the intent to make a false colour in cloth, nor wool hattes nor cappes vpon paine for euery defaulte to forfeite twenty shillings. 3. Ed. 6. 2.

Iron cards, pickards. 69 ¶ No person shall occupie any yron cardes, or pickardes in rowing of any set cloth, or any maner of wollen cloth, vpon paine to forfeite alwell the said yron cardes and pickards, as also the summe of twenty shillings for euery such offence. 3. Ed. 6. 2. And if any

Gigge milles. person occupie any Giggemil for the workemanshippe of any wollen cloth, he shall forfeite for euery cloth wrought in or by any of them. v.li. 5. Ed. 6. 22.

Measure of cloth. 70 ¶ No person shall sell any cloth by any lesse measure, then after

after the true content thereof, to be moten and measured by the yarde, adding to euery yarde one ynch of the rule. 6. Henrici. 8. 9. 3. Ed. 6. 2.

71 ¶ No person shall buy any coloured wool, or coloured wollen yarne of any Carder, Spinner, or weauer, but onely in open market, vpon paine of forfaiture of such wool and yarne, so bought, to the Queene and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 6. H. 8. 9. Buying of coloured wool and yarne.

72 ¶ No person vsing the feat of Cloth making, and dwelling out of a citie, Borough, market Towne, or corporat Towne, shall haue in his house or possession, aboue one wollen loome at one time, nor shall directly or indirectly, take any commoditie, by letting any loome, or any house wherein any loome shalbe occupied which shall be together by him let, vpon paine of forfaiture for euery week that any person shall do contrary. xx. s. to the Q. & I. to be recouered by A. I. &c. wherin no W. E. P. &c. 2. & 3. P. & M. 11. A clothier shall haue but one wollen loome.

73 ¶ No wollen weauer vsing the feat of weauing, and dwelling out of a Citie, Borough, market Towne, or Towne corporat, shal haue or keepe at one time aboue two wollen loomes, or receiue any commoditie by any more then two loomes at one time, vpon paine to forfeite for euery weeke that any person shal do to the contrary xx. s. to the Q. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 2. & 3. P. & M. 11. No weauer shall keepe aboue two loomes.

74 ¶ No person which shall occupie onely the mysterie of a weauer, and not cloth making, shall (during the time that he shall vse the feate of a weauer) haue any Tucking mill, or shall exercise the feate of a Tucker, Fuller, or Dyer, vpon paine to forf. for euery weeke that he shall so do, xx. s. to the Q. & I. to be recouered by A. I. &c. wherein no W. E. P. &c. 2. & 3. P. & M. 11. No weauer shalbe a Tucker.

75 ¶ No person which shal vse the feate of a Tucker, or fuller, shall during the time that he shall so vse the saide feate, haue any loome in his house or possession, or shall directly or indirectly take any profit by the same, vpon payne to forfait for euery weeke xx. s. to the Q. & I. to be recouered by A. I. &c. wherein no W. E. P. &c. 2. & 3. P. & M. 11. No tucker or fuller shall keepe a loome.

76 ¶ It shal not be lawful for any person to set vp ỹ mysterie of weauing, vnles the same person haue bene apprentice to the same mysterie, or exercised the same by the space of vii. yeeres at the least, vpon paine of twenty pound to be forfeited to the Q. & I. to be recouered by A. I. &c. wherein no W. E. P. &c. 2. & 3. P. & M. 11. And whosoeuer No man shalbe a weauer but which hath bene apprentice.

whosoeuer shall weaue or make, or put to weauing or making wollen cloth, long or short kerseis, pinned whites, or plaine straits, vnles he hath bene apprentice to the occupation of making, weauing, and rowing of cloth or kersey, or haue bene exercised therein by the space of vii. yeeres before, shall forfeite such cloth or the value thereof to the Queene and I. &c. 4. and 5. Philippi & Ma. 5. But this act of 2. and 3. P. and M. is not preiudiciall to any persons dwelling in the counties of Yorke, Cumberland, Northumberland, and Westmerland, but euery of them shal and may keepe loomes in their houses, and exercise euery thing concerning spinning, weauing, cloth working, and cloth making in the said counties, as they might haue done lawfully before. 2. and 3. P. and M. 11.

Loomes kept in the counties of Yorke, Cumberland, Northumberland and Westmerland.

77 ¶ The weauer which shall haue the weauing of any woollen yarne to be webbed into cloth, shall weaue, worke, or put into the webbe for cloth, to be made thereof, as much and all the same yarne, as the clothier or any person for him shal deliuer to the same weauer, with his vsed marke put to the same, without changing, or any part thereof leauing out of the same webbe, or els shall restore to the same clothier the surplusage of the same yarne, if any shalbe left, not put into the same webbe, and without any more oyle, water, moisture, sande, dust, or other deceiuable thing putting to the same webbe, vpon paine to forfeite for euery defaulte iii. s. iiii. d. to the Queene and Informer, to be recouered by A. I. &c. wherein no W. E. P. &c. 6. H. 8. 9.

The weauer shall put into the cloth all the yarne or restore it.

78 ¶ No person shall vse the mysterie of making, weauing, or rowing of woollen clothes long or short, or kerseis, pinned whites, or plaine straites, to the intent to put the same to sale, but onely in a market towne, where cloth hath commonly bene vsed to be made by the space of x. yeres last past, (vz. before 20. Januarii An. Do. 1557) or in a citie, borough or towne corporat, vpon paine of forfeiture for euery such woollen cloth, or kersey made, wouē, or rowed out of such citie, borough, or towne corporat, or market towne, v. li. to the Quene I. to be recouered by A. I. &c. wherein no W. E. P. &c. 4. and 5. P. and M. 5.

None shall occupie clothing but where it hath bene vsed &c.

79 ¶ But it shalbe lawful to any person now (vz. at the making of this act) vsing the feate of making, weauing, or rowing of cloth or kersey, to inhabite where he nowe doeth, and there to vse the making, weauing, or rowing of cloth or kersey, as he hath done heretofore. 4. & 5. P. & M. 5.

Inhabitants at the time of the statute.

80 ¶ And it shall be lawfull to euery person, which doe, or shall dwell

dwell in any of the shires of North Wales, South Wales, Chesshire, or Lancashire, Westmerland, Cumberland, Northumberland, Bishoprycke of Durham, Cornewall, Suffolke, Kent, the towne of Goddelmine in the county of Surrey (or Yorkshire, being not within twelue miles of the citie of Yorke) or in any the townes or villages nere adioyning to the water of Stroude in the countie of Glouceſter, where cloth hath bene dayly made by the space of xx. yeeres last past, and hauing bene prentice to the occupation of cloth making, or exercised in the same by the space of vii. yeeres, to set vp, and exercise the feate of making, weauing, or rowing of cloth, out of a citie, borough, or market towne as heretofore they might haue done. 4. and 5. P. and M. 5. Places excepted.

81 No person shall make, or cause to be made within the shire of Worceſter, any wollen clothes to be sold, except onely such persons as shalbe dwelling within the citie of Worceſter, the boroughs and townes of Euesham, Droitwitch, Kederminster, and Bromesgroue (in the saide county of Worceſter, or in any one of thē, vpon paine of forfeyture for euery broade cloth made by any person, contrary to the meaning of this act, fourty shillings to the Queene and Informer, to be recouered by Accion, Information &c. wherein no W. E. P. &c. But this act shall not be preiudiciall to any persons for making any clothes for their owne, their children or seruants wearing. 25. H. 8. 18. Worceſter shire

82 It shalbe lawful to euery such person which dwell in Bocking, Westbarfold, Cockshall, and Dedham in the countie of Essex or in any of them, that shall exercise the feat of making, weauing, or rowing of cloth or kersey, by the space of seuen yeeres at the least, or haue bene prentice thereto by the sayde space, to dwell in any of the said townes or villages, and to vse the making, weauing, or rowing of cloth or kersey, as before this tyme they might haue done, if the said acte of 4. & 5. P. & M. had neuer bene made any lawe. &c. notwithstanding 1. El. 14. Townes excepted.

83 An. 18. El. 15. the foresaid branche of the said statute made 4. & 5. P. & M. as touching onely the vse of the mysterie of making, weauing, or rowing of woollen clothes, to the intent to put the same to sale but onely in a Market towne, Citie &c. and all penalties &c. by reason of the sayd branche, as against any persons exercising the sayde mysterie, &c. within the Counties of Somerset, Wilteshyre, and Glouceſter, or any of them, be repealed and made voyde. But euerye person being by this Statute allowed to exercise the sayde mysterie Somerset, Wiltshire, Glouceſter.

mysterie &c. not being by ẏ former stat. (made 4. 5. P. & M. 5.) allowed therunto, shall be subiect vnto such search, forf. and other orders, as other persons dwelling out of boroughs & townes corporat, allowed of by the said former act, or any other statutes, were subiect vnto before the making of this act. 18. El. 15.

Inhabitants at the time of the statute.

84 ¶ No person dwelling or abiding within any of the saide counties of Somerset, Wiltshire, or Glouceſter, shall vse the saide mysterie of making, weauing, or rowing of any wollen cloth out of any citie, borough, towne corporat, or market towne, except only within such houses and places in the said counties, as such wollen clothes haue bene most commonly vsed to be made, wouen or rowed, by the space of tenne yeeres next before the making of this act (being 8 Februarii. Anno Domini. 1575.) vpon paine of forfeiture for euery such cloth made, wouen, rowed, &c. x. li. to the Queene &c. I. 18. El. 15.

How much land a clothier may keepe in his occupation

85 ¶ Such person as shall vse the trade of cloth making in one of the houses & places where wollen clothes haue bene most commonly vsed to be made, wouen or rowed by the space of x. yeeres next before the making of this acte (being 8. Februarii. An. Do. 157 within any of the counties of Somerset, Wiltshire and Glouceſter out of a citie, borough, towne corporat or market towne, which now doth not vse the said trade, shall not keepe in his occupation or manurance aboue xx. acres of land, medowe, and pasture at the most. And euery person nowe vsing the said trade, out of a citie, borough, towne corporat or market towne vpon any of the saide counties, shall not take into his occupation or manurance any lande, medowe, or pasture, but ẏ which he now hath, or as much only in lieu therof, vpon paine of forfeiture for euery acre of land, medowe, and pasture by such person, occupied or manured, contrary to the tenure of this act, for euery yeere that he shall so occupie the same, and so vse the mistery of cloth making. vi. s. viii. d. to the Q. & I. 18. El. 15.

This word (now) is to be construed at the tyme of the stat. made.

The rents of clothiers houſes in Worceſterſhire.

86 ¶ The Lords & owners of the meſes, tenements or cotages within the citie of Worceſter, or any of the boroughes or townes of Eueſham, Droitwitch, Kederminſter and Bromeſgroue, shall at no time let any meale, tenement or cotage sufficiently repayred within the sayd Citie, Boroughes, or townes, to any person that shall inhabite in the sayde Citie, Boroughes, &c. and exerciſing the mystery of clothing at any higher rent, inpoſition or charge, then was giuen for the same at anye time within twentye yeeres next before

before the making of this acte, (being 25 die Ianuarii. Anno Dom. 1533.) 23.H.8.18.

87 ¶ The Queenes Aulneger shall be sworne to doe his office well and lawfully, and in case he thereof be found in default, and attainted before the gouernours of faires, Maiors or Baillifes of the places where the cloth shall be bought, or before any other whom the Queene shall assigne, he shall be one yeere imprisoned, raunsomed at the Queenes pleasure, and put out of his office for euer, and he that will sue, shall haue the one halfe, And the Aulneger shall answere aswell for his Deputies, as for himselfe. 25.Ed.3.1. Aulneger sworne.

88 ¶ The Treasorer of England or his Deputie, shal appoint no person to be Aulneger, Sealer, or keeper of the Seale, appointed for the sealing of clothes in any part of this Realme, but such as be expert in the making of Cloth, and worth a C.li. at the time of the said deputation. 1.R.3.8. The Aulneger shalbe expert, and worth a C. pound.

89 ¶ The Treasorer of England for the time being, hath authoritie to let to farme the Subsidies & Aulnage of clothes which ought to be sealed vnto persons (which be no strangers borne. 1.R.3.1.) willing to haue the same to farme, by sufficient suertie, and the farmors shall haue the one halfe of all the forfaitures of all the clothes and pieces of clothes set to sale not sealed with the saide Seales, to their owne vse, paying therefore, and for the said Subsidie and Aulnage to the Queene at her Eschequer such yeerely summe of money, as shalbe agreed betwixt the Treasorer & them, And to be accomptants to the Queene of the other halfe of the said forfaiture at the said Eschequer. 17.Ed.4.5. Aulnage let to farme.

90 ¶ If any Clothier doe put any Cloth or Kersey to sale, before he shall haue paied to the Aulneger or his deputie, the accustomable fee, or agree for the same as he hath bene accustomed, he shall forfaite for euery default twentie shillings to the Queene and Informer, to be recouered by A. I. &c. wherein no W. E. P. &c. 5.Ed.6.6. And if any person making any whole coloured Cloth, Dozens, or clothes of Ray, doe folde or tacke the same together, before the Aulneger hath duely searched or surueied the same, that they holde their length and breadth, ordeined in the Statutes therefore prouided, he shall forfaite the same. And the Aulneger which putteth the seale thereunto ordeined, to Cloth which is not of Assise, shall forfaite at the first default tenne pound, at the seconde twentie pound, and at the third his bodie shalbe arrested, and his goodes at the Queenes pleasure. 11.Hen.4.6. But the Marchants No cloth shall be sold before the Aulnegers fee be paide.

which doe buy the same cloth to carrie out of the Realme, may folde them together, for the more easie carriage of them. 13.R.2.11.

Cloth made within the said Countie onely shall be sealed.

91 ¶ No Aulneger, sealer, or keeper of the Seale appointed for the sealing of cloth, shall seale any whole clothes, halfe clothes, straites, or kerseis, but such as shalbe onely made within the Countie, Citie, Borough, or Towne where he shalbe deputed Aulneger, sealer or keeper, vpon paine to forfaite to the Queene for euery such whole cloth contrarie sealed, three pound sixe shillings eyght pence, for euery halfe cloth, thirtie three shillings foure pence, for euery straite, twentie shillings, and for euery kersey ten shillings. 1.R.3.8. S.7. Ed.6.9.4.& 5.P.& M.5.

No cloth solde before the Aulneger & owner haue set their seale & marke.

92 ¶ Euery clothier putting any clothes to sale, before they [illegible] be sealed by the Aulneger of the said Countie, where any of them be made, or before the said Clothier hath wouen his seuerall mark in the said clothes, and hath set his seale of lead conteyning [illegible] of the same clothes, shall forfaite his clothes to the Queene and [illegible] former, to be recouered by A.I. &c. wherein no W.E.P.&c. And the Aulneger of any Countie doe seale any of the said clothes [illegible] the Queenes seale, vntill such time as they be ordered & sealed [illegible] their contents in forme aforesaid, he shall lose his office. 27.H.8.[illegible] But all cloth made to be solde within the citie of Worcester, [illegible] Townes of Droitwich, Euesham, Kederminster, & Bromesgr[illegible] in the Countie of Worcester, shall be sealed with the seale of [illegible] chers there, and the owners shal not be compelled to put their o[illegible] seales to any clothes there made. And the searchers shall haue for [illegible] searching and sealing of euery cloth i. d. and not aboue. 25.H.8.[illegible] 27.Hen.8.12.

No sealing of tacked cloth.

93 ¶ If any Aulneger, or Collector of the subsidie of cloth[illegible] doe set his seale to any cloth, hauing the pieces tacked and set [illegible] ther with theues, the same cloth shalbe forfaited to the Quene, [illegible] whose hands soeuer it be found. And also the Aulneger or Collector [illegible] found guiltie, shall forfaite his office. 3.R.2.2.

Faultie cloth sealed.

94 ¶ Though cloth, through the default of the carders, spi[illegible] ners, or weauers, doe proue either pursie, baudie, or squalie, by warp [illegible] or woofe, or else happen to be euil burled, or wasted in the mill, [illegible] through the negligence of the milman, or otherwise to be full [illegible] holes, milbrackes, or hooly, yet the Aulneger shal set his seale to such [illegible] cloth, and the accustomable fees shall be paied to the Aulneger, vpon [illegible] paine of forfaiture of such whole cloth, or the value thereof. 5.Ed.6.6. 4.& 5.P.& M.5.

95 ¶ [illegible]

95 ¶ The Aulneger shal take for euery cloth that is measured, which is of assise, of ỳ seller, ob. and of the halfe cloth qz. for his office and no more, And he shall take nothing for clothes which be lesse then a halfe cloth, nor shall meddle with the measuring of any cloth, but onely with the clothes which are to be solde, And such clothes, the which shal be put to sale, before they be sealed with the said seale, shal be forf. to the Queene &c. and seised into her hands by the Aulneger or his deputie, or otherwise by the bailife of the towne where such clothes not sealed, shal be found. 27. Ed. 3. 4. The Aulnegers fee.

96 ¶ If the Aulneger or keeper of the seale, doe refuse to shew his commission of his office, to any person, desiring the same, vpon the sealing or measuring of any broade clothes, straites, or kerseis, and that examined and duely proued, he shall forf. xx.s. 4. Ed. 4. 1. The Aulneger shall shewe his commission.

97 ¶ The Aulneger in Wales by himselfe, or his sufficient deputie or deputies, shall in all things to his office apperteining doe and answere in euery case, according as euery other Aulneger, in the Realme of England ought to doe. And for the contrary exercising of the said office, shal in euery case suffer, as by the lawes & statutes is ordeined for Aulnegers vnder the Lord Treasorer of England. 34. Hen. 8. Aulneger in Wales.

98 ¶ No person shall sell or put to sale, within the Countie of Lancaster, or carrie or cause to be carried out of the said County any kind of Clothes, Cottons, Frizes or Rugges, made within the saide Countie to be solde, before the owner or maker of euery such cloth, &c. shall put to the same one seale of lead, hauing the marke of euery such owner or Clothier, ingraued on the one side thereof, and ỳ true length of euery such Cloth, Frize, Cotton or Rugge, as it is found being wette, to be ingraued on the other side of ỳ said seale. And also the Queenes Aulneger of the saide Countie Valentine for the time being, vpon triall of the weight of euery such Cotton, Frize, and Rugge, shall fixe or cause to be fixed to euery such Cotton &c. the Queenes seale of Lead, hauing the portculleis crowned, ingraued on the one side thereof, and the true weight of euery such Cotton, Frize or Rugge to be ingraued, on the other side of ỳ said seale, vpon paine of forfaiture of al & euery such Clothes, Cottons, Frizes, and Rugges conueyed, carried, sent, solde, and put to sale, or to the intent to be solde, being vnsealed contrary to the meaning of this act, to the Queene and to such persons, as shall seise, or wil sue for the same Cloth, &c. to be recouered by accion, information, &c. wherein no W. essoine, pro. &c. But this act shal not be preiudiciall The owners marke set to clothes in Lancashire. The Aulnegers seale.

vnto any charter, or libertie of any Borough, or corporat Towne within the said Countie Palentine of Lancaster concerning ỳ making and putting to sale of any woollen cloth. 8. El. 12.

The Aulnegers deputies.

99 ¶ The saide Aulneger shall haue his lawfull deputie within euery of the seuerall Townes of Manchester, Rochdale, Bolton, Blackborne and Bere, in the same Countie where the said Aulneger hath bene accustomed to haue his deputie heretofore, there to be readie vpon lawfull request vnto him made without delay, to waigh euery of the saide Cottons, Frizes, and Rugges, as shalbe brought vnto him, and sealed with the seale of the owner or maker thereof, and to set to euery of them the Queenes seale ingraued in manner and fourme aforesaid, vpon paine of forfaiture of twentie shillings for euery pack of Cottons, Frizes or Rugges, sealed by the saide Aulneger or any of his said deputies, before the same be waighed in forme aforesaide to the Queene and Informer, to be recouered by A. I. &c. wherein no Wa. E. P. &c. And it shalbe lawfull for the saide Aulneger or his deputie, to take of the owner or maker of euery of the saide Clothes, Cottons, Frizes or Rugges, for the waighing and sealing of euery packe of them, three pence, and for euery part of such course Clothes, Cottons, Frizes & rugges, not amounting to a whole packe, ob. and the same to be paied by the owner or bringer of the saide clothes at the waighing and sealing of the same. 8. El. 12.

The Aulnegers fees in Lancashire.

Transporting of cloth.

100 ¶ No person, English, Denizen, or Stranger, shall transport or cause to be transported into any of the parties beyond the sea any Cloth, Kersey, Frize, or Cotton of the seuerall sortes before recited in the statute of (5. Ed. 6.) vnlesse the Queenes seale, or Aulnegers seale of this Realme, and the seale of the owner or maker of the cloth (declaring therein the length of the cloth as it shall be in the water) be set vpon euery such cloth, vpon paine to forfeit euery such cloth lacking the same seales or any of them, or the value thereof, to the Q. and I. to be recouered by A. I. &c. wherein no Wa. E. P. 5. Ed. 6. 6.

Of what value cloth caried ouer may be.

101 ¶ Euery white woollen cloth solde for foure pounds and vnder, and euery coloured cloth sold for three pound and vnder, may be carried beyond the sea there to be sold, at the pleasure of the buyers of the said cloth vnbarbed, vnshorne, and vnrowed, any acte notwithstanding. 27. Hen. 8. 13. But no person shall carrie or ship or cause to be shipped any white woollen cloth, aboue the value of foure pound, or any coloured cloth aboue the value of three pound vnrowed

vncowed, vnbarbed, or vnshorne, to the intent to be conueyed into the parties beyond the sea, vpon paine of forf. of the same cloth or the value thereof, to the Q. and I. to be recouered by accion, information, &c. wherein no W. E. P. &c. 33. H. 8. 19.

Transporting of wollē yarne, or cloth not fulled.

102 ¶ No person shall carrie or cause to be carried beyond the sea, any wollen yarne, or cloth not fulled, but ꝑ wollen yarne which shalbe wouen in this Realme, and also all cloth therein made shalbe fulled, and fully wrought within this Realme, before it be carried out of this Realme, vpon paine of forfaiture of the verie value of all such yarne vnwouen, and cloth not fulled, carried out of this realme, to the Q. and I. &c. 7. Ed. 4. 3. S. 101.

Transporting of cloth not watered.

103 ¶ No person, stranger, nor other, shal conney any wollen cloth out the sea, vnlesse the same cloth be before fully watered, vpon paine of xl. s. 1. R. 3. 8. S. 101.

No clothes wrought beyond the sea, shalbe brought into England.

104 ¶ No person shall bring or cause to be brought into the Realme of England, Ireland or Wales, any clothes made in any other place then within the saide Realmes (clothes taken by any of the Queenes liege people vpon the sea without fraud onely except) vpon paine of forfaiture of the saide clothes, and further to be punished at the Queenes pleasure. 11. Ed. 3. 3. 4. Ed. 4. 1. Nor any man vnder the estate of a Duke, Marques, Earle and their children, and vnder the degree of a Baron, (except he be a Knight of the Garter) shall weare in any part of his apparell, any wollen cloth, made out of the Queenes dominions, except in Bonets onely vpon paine of forf. of the same, and iii. s. iiii. d. for euery day that he shall weare the same. 24. H. 8. 13. S. Apparell. 3.

Who may weare clothes wrought beyond the sea.

Clothes transported by licence.

105 ¶ For euery ix. clothes vnwrought to be shipped or carried into any the parties beyond the seas, contrary to the forme of any statute in force, by force of any licence, the partie that shall ship or carrie the same, shall ship and carrie ouer also one like wollen cloth of like sort, length, breadth, and goodnesse, redie wrought, and dressed, frised, barbed, first coursed, and shorne, from the one ende to the other, so that euery tenth cloth passing ouer the seas in forme aforesaid, shalbe dressed within this Realme, before the same shalbe shipped or transported ouer, vpon paine to forf. for euery such ix. clothes so to be shipped or transported, contrary to the meaning of this act, tenne pound to the Queene, & the maister and wardens of the company of cloth workers, to the releefe of the poore of the saide companie, to be recouered by A. I. &c. wherein no W. E. P. &c. But euery such tenthe cloth so to be transported redie wrought, shall not be

accompted any of the clothes permitted to be transported by force of such licence, but that such person as shall haue such licence may transport according to such licence, the full number of clothes vnwrought, mentioned in the same licence, ouer and aboue the number of such tenth clothes, which they shalbe compelled to shippe, and carrie ouer by force of this statute. 8. El. 6.

Kentishe and Suffolke cloth shall not be transported vnwrought, by any licence.

106 ¶ No person shall shippe or carrie beyond the seas, contrary to the forme of any statute heretofore made, nowe remaining in force, any cloth commonly called Kentishe cloth, or Suffolke cloth, made in the Counties of Kent or Suffolke vnwrought and vndressed within this Realme, that is to say, not rowed, barbed, fullcourssed and shorne, vpon paine to forf. for euery such cloth so to be shipped or transported xl. s. to the Queene, and the master and wardens of the company of Clothworkers, to the releefe of the poore of the said companie, to be recouered by A. I. &c. wherein no W. E. P. And no licence for transporting of any cloth, shalbe expounded or extend to any such Kentish or Suffolke cloth, made in eyther of the said Counties to be transported. 8. Eliz. 6.

The foresaid statute of 5. Ed. 6. repealeth al & euery Article, clause, or sentence in any acte of parliament, therefore made, concerning making, dying, dressing, pressing, searching, or sealing any of the kindes of clothes, broade or narrowe, white or coloured Karsey, Frizes, Rugges, or Cottons, in the said acte mentioned, and being repugnant and contrary to any article or sentence in the saide statute. And the statute of 8. Eliz. 12. repealeth all and euery branche, clause, sentence, and article specified and conteined in any other actes of parliament before that time made, concerning the sealing and making of Lancashire Cottons, Frizes, & Rugges. And therefore consider diligently if any statute, article, branch, or sentence of any statute made before, either of the foresaide statutes, and in this treatise expressed, be by the generall woords of either of the said statutes repealed, as many other whole statutes & branches of statutes be, which here are omitted. But I suppose there is nothing repealed, which in this title of Draperie is conteined, Attamen Quere.

Quere.

Eares.

Cutting of Eares.

WHosoeuer shall maliciously, vnlawfully, and willingly cut, or cause to be cut off the eare, or eares of any of ỳ Queenes subiects, otherwise then by authoritie of law, chaunce medley, soden affray,

affray, or aduenture, ſhall forf. to the P. grieued treble damages, to be recouered by A. of treſpaſſe, and to the Queene for a fine x.li. 37. Hen. 8. 6.

Eccleſiaſticall perſons, and liuings.

Maintayning doctrin againſt the articles.

IF any perſon eccleſiaſticall, or hauing eccleſiaſticall liuing, ſhall aduiſedly maintaine any doctrine directly contrary to any of the articles compriſed in a booke entituled (Articles &c. touching true religion) and being conuented before the Biſhop, Ordinarie, or the Queenes Commiſſioners in cauſes eccleſiaſticall, ſhal perſiſt therein, and not reuoke his error, or after ſuch reuocation, ſhall eftſones affirme ſuch doctrine, ſueh maintaining, or affirming, & perſiſting, or ſuch eftſones affirming, ſhalbe a lawfull cauſe to depriue ſuch perſon of his eccleſiaſticall promotions. And it ſhalbe lawfull to the Biſhop of the Dioces, or Ordinarie, or the ſaid Commiſſioners, to depriue ſuch perſons ſo perſiſting, or lawfully conuicted of ſuch eftſones affirming. And vpon ſentence of depriuation pronounced, he ſhalbe in deede depriued. 13. Eliz. 12.

The age of a beneficed perſon, and he ſhal reade and ſubſcribe the articles.

2 ¶ No perſon ſhalbe admitted to any benefice with cure, except he then be of the age of xxiii. yeeres at the leaſt, and a Deacon, and ſhal firſt haue ſubſcribed the ſaide articles, &c. in the preſence of the Ordinarie, and publiquely reade the ſame in the pariſh Church of that benefice, with declaration of his vnfaigned aſſent to ỹ ſame. And if any perſon to be admitted to a benefice with cure, doe not within two moneths after his induction publiquely reade the ſaide articles, in the Church whereof he ſhal haue cure, in the time of common prayer there, with declaration of his vnfaigned aſſent thereunto, and be admitted to miniſter the Sacraments within one yeere after his induction, (If he be not ſo admitted before) he ſhalbe immediatly vpon euery ſuch default (ipſo facto) depriued. 13. Eliz. 12.

The miniſters age and his teſtimoniall.

3 ¶ None ſhalbe made miniſter, or admitted to preach or miniſter the Sacraments, being vnder the age of xxiiii. yeeres, nor vnleſſe he firſt bring to the Biſhop of that Dioces, (from men knowen to ỹ Biſhop to be of ſound religion,) a teſtimonial both of his honeſt life, and of his profeſſing the doctrine expreſſed in the ſaid articles, nor vnleſſe he be able to anſwere and render to the Ordinarie, an accompt of his faith in latine according to the ſaide articles, or haue a ſpecial gift and abilitie to be a preacher, Nor ſhalbe admitted to the order of Deacon, or miniſterie, vnleſſe he ſhall

first subscribe to the said articles. 13. El. 12. for the examination of the abilitie of a person presented to an ecclesiasticall benefice, doth perteine to an ecclesiasticall Iudge. Articuli Cleri. Anno nono Edwardi. 2. 13.

Benefice of the value of xxx. li.

4 ¶ None shalbe admitted to any benefice with cure, of or aboue the value of xxx. li. yeerely in the Queenes bookes, vnlesse he shall then be a Bacheler of diuinitie, or a preacher lawfully allowed by some Bishop within this Realme, or by one of the vniuersities of Cambridge or Oxford. 13. El. 12.

5 ¶ All admissions to benefices, institutions, and inductions to be made of any person contrary to the forme, or any prouision of this acte, and all tolerations, dispensations, qualifications and licences whatsoeuer to be made to the contrary hereof shall be meerely voide in lawe, as if they neuer were. Prouided alwayes, that no title to conferre or present by Lapse, shall accrue vpon any depriuation ipso facto, but after sixe moneths after notice of such depriuation giuen by the Ordinarie to the Patron. 13. El. 12.

No Lapse but after notice.

Leases & other assurances of Bishops lāds.

6 ¶ All giftes, grauntes, feoffements, fines, and other conueyances or estates, from the first day of the parliament begunne 23. Ianuar. Anno Domini 1558. had, made, done or suffered, or to be had made, &c. by any Archbyshop, or Bishop, of any honors, castels, manors, lands, tenements, or other hereditaments, being parcell of the possession of his Archbishoprycke or Bishoprycke, or vnited, appertayning, or belonging to any of the same to any person (other then to the Queene, her heires or successors) whereby any estate should or might passe from the same Archbishop or Bishop, other then for terme of twentie one yeeres, or three liues, from such time as any lease, graunt, or assurance shall begin, and whereupon the olde accustomed yeerely rent, or more, shalbe reserued payable yeerely, during the said terme of twentie one yeeres, or three liues, shalbe vtterly voide, any lawe, custome, &c. notwithstanding. 1. Eliz. a statute not printed.

Assurances made by Colledges, Cathedrall Churches, parsons, &c.

7 ¶ All leases, gifts, graunts, feoffements, conueyances or estates to be made, had, done or suffred, (vz. from 2. Aprilis, An. Do. 1571.) by any master and fellowes of any Colledge, Deane & Chapter of any Collegiat or Cathedral Church, master or Gardein of any hospital, Parson, Vicar, or any other, hauing any spiritual or ecclesiasticall liuing of any houses, landes, tithes, tenements or other hereditaments, being parcel of ỹ possessions of any such Colledge &c. or any way belonging to ỹ same, or of any of them to any person &c. bodies politique

politique or corporat, other then for the terme of xxi. yeres, or three liues, from the tyme of such lease or graunt made, whereupon the accustomed yeerely rent or more shall be reserued, and yerely payable during the sayd terme, or whereof any former lease for yeres is in beyng not to be expired, surrendred, or ended within iii. yeeres next after the making of any such newe lease, shall be vtterly voyde. 13. El. 10. 18. El. 10. And euery bande and couenant whatsoeuer made for remuing or making of any lease, contrary to the true intent aforesayde, shall be vtterly voyde. 18. El. 10. But this Act shall not make good any lease or other graunt made by any Colledge, or Collegiat Church within Oxford and Cambridge or elsewhere, for more yeres then are limitted by the priuate statutes of the same Colledge. Neyther shall this Act extende to any lease hereafter to be made, vpon surrender of any lease heretofore made, or by reason of any couenant or condition conteyned in any lease heretofore made, and nowe continuing, so that the lease to be made, doe not containe more yeeres, then the residue of the yeeres of the former lease nowe continuing, shall be at the tyme of such lease hereafter to be made, nor any lesse rent then is reserued in the sayd former lease. 13. El. 10.

Colledges in Oxford and Cambridge.

Newe leases vpon surrender of old & former couenants.

8 ¶ But any of the persons, bodyes politique or corporat aforesayde, may graunt, assure, or lease any houses belonging vnto them, beyng not their Capitall or dwelling house vsed for their habitation, nor hauing grounde belonging vnto them, aboue the quantitie of ten acres, or any grounds to such houses appertayning, which be situate in any Citie, Borough, Towne corporat or market Towne, or the suburbes of any of them, in such sorte as by the lawes of the Realme, and the seuerall Statutes of their houses they may doe. So that no lease be made in reuersion, nor without reseruing the accustomed yeerely rent at the least, nor without charging the Lessee with the reparations, nor for longer tyme then fourtie yeeres at the most, Nor any houses of the sayde Colleges, Bodies politique, &c. shall be aliened, vnlesse that in recompence thereof, there shall be before, with, or presently after such alienation, good, lawfull, and sufficient assurance made absolutely in fee simple, to such Colledges &c. and their successors, of lands of as good value, and as great yerely rent at the least, as so shalbe aliened. 14. El. 11.

Colledges &c. may let certain lands for fortie yeres.

Colleges may not alien their landes except they haue sufficient & present recompence.

9 ¶ No lease made of any benefice or ecclesiasticall liuing with cure, or any part thereof, and not beyng impropried, shall endure

Leases of benefices with cure.

any

any longer, then whyle the lessour shall be ordinarily resident and
feruing the cure of such benefice without absence aboue 80. dayes
in any one yere, but euery such lease immediately vpon such absence
shall ceasse and be voyde, and the incumbent so offending, shall for
the same lose one yeeres profite of his sayde benefice, to be distri-
buted by the Ordinarie amongest the poore of the parish. 13. El. 20.

Sequestration granted by the Ordinarie.

And after complaynt made to the Ordinarie, and sentence gyuen
vpon any offence committed by the incumbent, whereby he shall
or ought to lose one yeeres profite of his benefice, the Ordinarie
within two moneths after such sentence giuen, and request to him
made by the Churchwardens of the same parishe, or one of them,
shall graunt the Sequestration of such profites to such inhabitant
or inhabitantes within the parishe where such benefice shall be, as
to him shall seeme meete, and vpon default therein by the Ordina-
rie, it shall be lawfull to euery parishioner where the benefice is, to

Parishioners may reteyne their tythes.

reteyne his tythes, and likewise for the Church Wardens of the
sayde parishe to enter and take the profites of the glebe landes and
other rentes and dueties of euery such benefice, to be imployed to
the vse of the poore as aforesayde, vntyll such tyme as Sequestra-
tion shall be committed by the Ordinarie, and then aswell the
Church Wardens as parishioners shall yeelde accompt of, and
make payment to him, or them, to whome such Sequestration
shall be committed. And he or they, to whome such Sequestration
shall be committed, from tyme to tyme shall iustly and truely be-
stowe the sayde profites or the iust value thereof without fraude
to such vses as by the sayde Statute is appoynted, vpon payne of
forfaiture of the double value of such withholden profites, to be re-
couered in the Ecclesiasticall court, by the poore of the sayde parish.
18. El. 10.

Bands, contracts &c. for the enioying of benefices.

10 ¶ All Bandes, contractes, promises and couenauntes made
for suffering any person to enioye any benefice or ecclesiasticall pro-
motion with cure, or to take profites or fruites thereof (other than
such bandes and couenauntes as shall be made for assurance of any
lease heretofore, vz. before the same Statute made) shall be to all
intentes adiudged of such force and no otherwise, as leases made by
the same persons of such Ecclesiasticall promotions with cure. 14.
El. 11.

Demise of a benefice to a Curate.

11 ¶ Euery person allowed by the lawes of this Realme, to
haue two benefices, may demise one of them, vpon which he shall
not be ordinarily resident, to his Curate, which shall serue the cure
for

for him, which leaſe ſhall endure no longer then during ſuch Curates reſidence, without abſence aboue fortie dayes in any one yere. 13.El.20.

12 All leaſes, bandes, promiſes, and couenants, of and concerning benefices, and eccleſiaſticall liuings with cure, to be made by any Curate, ſhalbe of no other, nor better force, validitie or continuance, then if the ſame had bene made by the beneficed perſon himſelf, that demiſed the ſame to his Curate. 14.El.11. Bandes, contracts &c. made by a Curate.

13 All chargings of benefices with cure, with any penſion, or with any profite out of the ſame, to be yeelded or taken, (other then rents reſerued vpon leaſes to be made according to the meaning of this act) ſhalbe voyde. 13.El.20. Charging of benefices.

14 No ſpirituall perſon ſhall take to farme to him ſelfe, or to any perſon to his vſe, of the leaſe or graunt of the Queene, or any other perſon or perſons, by letters Patents, Indentures, writings, by worde, or other wiſe by any maner of meanes, any manors, lands, tenementes, or other hereditamentes for terme of lyfe, yeeres, or at will, vpon payne to forfaite for euery moneth that he or other to his vſe, doe occupie ſuch farme by reaſon of any ſuch graunt or leaſe, ten pounde to the Queene and Informer, to be recouered by accion, information &c. wherein no Wl.E.P. &c. except the temporalities of an Archbiſhoprycke, biſhoprycke, or collegial, cathedral, or cõuentual church, and landes to be letten vpon a trauers tendred after an office found concerning his freeholde, and a dwelling houſe hauing but onely orchardes and gardens in any citie, borough, or towne, for his owne habitation, All which, a ſpirituall perſon may take to farme (but by the ſayde dwelling houſe hee ſhall haue no colour of Non reſidence,) And alſo except Preſidentes and maiſters of Colledges, hauing lands or other yeerely profites in the right of their houſes, under, and not aboue 800. markes, which may occupie as much of their demeſne landes, fee farmes, and farmes to their moſt profite for the onely mayntenance of their houſeholdes, as they or any of their predeceſſors at any tyme by the ſpace of an hundreth yeeres before the making of this Acte, myght haue done. And all ſpirituall perſons hauing landes or other poſſeſſions in the right of their houſes, aboue the yeerely value of eight hundred markes, may occupy, and retayne in their occupation and manuraunce, as much of their ſayde landes and other poſſeſſions, as ſhall be neceſſary and ſufficient for paſturage of their cattell, and for tillage of corne to be employed and ſpent for the onely maintenance and keeping of their Taking of farmes.

houſeholdes

houſeholdes and hoſpitalities without fraude or couine. 21. H. 8. 13.

Whether a leaſe made to a ſpirituall perſon, or to any other to his vſe for terme of lyfe, yeeres, or at will, of any landes, &c. wherof he taketh the profite, &c. be voyde by this Statute or not. S. Stat. &

Quere.

Quere.

Buying and ſelling.

15 ¶ If any ſpirituall perſon doe by himſelfe, or any other to him to his vſe, bargayne and buy to ſell agayne for gayne, in any markets, fayres, or other places, any maner of cattell, corne, lead tynne, hydes, leather, tallowe, fiſhe, wooll, wood, or any maner of vitaile or marchandize of what kinde ſoeuer they be, he ſhall forfeit the treble value of the thinges ſo bought to ſell agayne, to the Queene and Informer to be recouered by accion, information, &c. wherein no Wa. E. P. &c. And alſo the ſayde bargayne and contract ſhall be vtterly voyde. But a ſpirituall perſon which without fraude buyeth any horſes, &c. cattels, goods, &c. with onely intent at the buying thereof to implore the ſame to the neceſſarie apparell of himſelfe, his ſeruants, or houſe, or for the onely occupying, or nuring of his glebe or demeſne landes annexed to his Church, for the neceſſarie expenſes of his houſeholde, and after the buying, or exerciſe therof, miſliketh the ſame, that they ſhould not be good, profitable and conuenient for any of the purpoſes aboueſayd, for which they were bought, then he may lawfully bargayne and put them away. And alſo other ſpirituall perſons not hauing ſufficient glebe or demeane landes in their owne handes, in the right of their churches, houſes &c. for paſturing of cattell, or for increaſe of corne, for the onely expence of their houſholds, or for their cariages and journeyes, may take in farme other landes, and buy and ſell corne and cattell for the only manurance, tillage, and paſturage of ſuch farmes, ſo that the increaſe thereof be alwayes employed for the ordinary expences in their houſholdes, and not to buy and ſell agayne any other commoditie, but onely the ouerplus of ſuch corne and cattell aboue the expences of their houſholdes, if any ſuch ſhall happen to be bredde and increaſed thereof without fraude or couine. 21. H. 8. 13.

In what caſes ſpiritual perſons may take lands in farme.

A ſpirituall perſon ſhal not occupie a parſonage or vicarage in farme.

16 ¶ If any ſpirituall perſon beneficed with cure, doe occupie by himſelfe, or any other to his vſe, any parſonage or vicarage in farme of the leaſe or graunt of any other perſon, or take any profite or rent out of ſuch farme, he ſhall forfaite fourtie ſhillinges for euery weeke, that hee or any to his vſe ſhall occupie any ſuch farme. And alſo ſhall forfaite tenne tymes the value of ſuch profite

or rent which he ſhal take out of any ſuch farme, to the Q. & I. to be recouered by A.I.&c. wherein no W.E.P.&c.21.H.8.13.

17 ¶ If any ſpirituall perſon ſhall haue, vſe, or keepe by himſelfe or any other to his vſe or commoditie any Tanne houſe to be occupyed to his vſe or commoditie, or any Byue houſe to any other intent then onely to be ſpent and occupyed in his owne houſe, he ſhal forfaite for euery moneth ſo vſing or occupying any of the ſayd myſteries x.li. to the Q. and I. to be recouered by A.I. &c. wherein no W.E.P.&c.21.H.8.13. A ſpiritual perſon ſhal not keepe a Tanne houſe or Byue houſe.

18 ¶ If any perſon hauing one benefice with cure of ſoule, beyng of the yeerely value of eyght pounde or aboue, doeth accept an other with cure of ſoule, and be inſtituted and inducted in poſſeſſion of the ſame, then immediately after ſuch poſſeſſion had thereof, the firſt benefice ſhall be adiudged in the lawe to be voyde: And euery patron hauing the aduowſon thereof, may preſent an other, and the preſentee ſhall haue the benefite of the ſame, as though the incumbent had dyed or reſigned. But no Deanrie, Archdeaconrie, Chauncellorſhippe, Treaſorerſhippe, Chaunterſhippe, or Prebende in any cathedrall or collegiall Church, nor parſonage that hath a vicar endowed, nor any benefice perpetually appropriate, be taken vnder the name of a benefice with cure of ſoule. 21.H.8.13. Pluralities. Which ſhal not be ſayd benefices with cure of ſoule.

19 ¶ But all ſpirituall men of the Queenes Councel may purchaſe licence or diſpenſation, and take, receyue, and keepe three parſonages or benefices with cure of ſoule, And all other ſpirituall men not ſworne of her counſell which be Chapleynes to the King or Queene, Prince, Princeſſe, or to any of the Kings children, brethren, ſiſters, vncles or auntes, may purchaſe licence or diſpenſation, and receyue and keepe two benefices with cure of ſoule. And euery Archbyſhop, may haue eyght Chapleynes, euery other Byſhop ſixe: euery Duke.vi. euery Marques and Earle v. euery Viſcount foure, the Chauncellor of England three, euery Baron and Knight of the Garter three, euery Duches, Marques, Counteſſe, Baroneſſe, (beyng widowes, or which haue taken any huſbande) vnder the degree of a Baron ii. the Treaſorer and Comptroller of the Queenes houſe two, the Queenes Secretarie two, the Deane of the Queenes Chappell two, the Queenes Amner two, the Maſter of the Rolles two, the chiefe Juſtice of the Kinges Bench one, the warden of the fiue Ports one Chapleine, euery of which Chapleines may purchaſe licence, and receiue, haue, and keepe two parſonages These may haue pluralities by their ſeruice.

nages

Exhibiting letters vnder their Lordes ſeales.

nages or benefices with cure of ſoule. But the Chapleynes ſo purchaſing, receyuing & keeping benefices with cure of ſoule, be bound to haue and exhibite, where neede ſhalbe, letters vnder the ſigne and ſeale of the Queene and other their lord and maſter, teſtifying whose Chapleines they be, or els not to enioye any ſuch plurality of benefices. And if any perſon to whom any Chapleines be limitted by this Act, ſhall by colour thereof, aduaunce any ſpirituall perſon, aboue the nomber to him appoynted, to receyue any moe benefices with cure of ſoule, then is before limitted, then the ſpirituall perſon ſo aduaunced aboue the ſayd nomber, ſhal incurre the penaltie conteyned in this Act, 21. H. 8. 13.

Aduancing mo Chapleines then is allowed.

Pluralities by birth or degree

20 ¶ Euery brother, or ſonne of any temporall Lorde borne in wedlocke, may purchaſe licence, or diſpenſation, and receyue, haue and keepe as many benefices with cure as the Chapleynes of a Duke or Archbiſhoppe, and euery brother and ſonne of a Knight borne in wedlocke, and euery Doctor and Bacheler of Diuinitie, Doctor and Bacheler of lawe Canon, which be admitted to the ſayde degrees by any of the Vniuerſities of this Realme, and not by grace onely, may purchaſe licence, and take &c. two benefices with cure of ſoule. 21. H. 8. 13. And all Suffragans which ſhal exerciſe the ſayde office of Suffragans by commiſſion of the Biſhoppe, may haue two benefices with cure. 26. H. 8. 14. 1. El. 1. But the ſayde libertie giuen to any of the perſons aforeſayde to purchaſe licence, or diſpenſation, and receyue and keepe moe benefices then one, ſhal be vnderſtanded, to extende in nomber to no moe benefices with cure of ſoule then is aboue limitted, Sauing that the Queene may gyue to any of her Chapleines beyng ſpirituall perſons, what nomber of benefices or promotions ſpirituall ſhee wyll. And alſo ſhee may graunt licence to any of them for Non reſidence, and the ſayde Chapleines may accept the ſame, without incurring any penaltie. 21. H. 8. 13.

Suffragans.

Queenes Chapleines.

Reſidence.

21 ¶ Euery ſpirituall perſon promoted to any Archdeaconrie, Deanrie, or dignitie in any Cathedrall Church, or other Church conuentuall, or collegiall, or beyng beneficed with any parſonage, or vicarage, ſhal be perſonally reſident and abyding in, at, and vpon his ſayde dignitie, prebend or benefice, or at one of them at the leaſt. And if any ſuch ſpiritual perſon do not keepe reſidence at one of his ſayde dignities, prebend or benefice, but abſent himſelfe wilfully by the ſpace of one moneth together, or by the ſpace of two moneths to be accompted, at ſeuerall tymes in any one yeere, and make

his

his reſidence and abyding in any other places by ſuch tyme, then he ſhall forfaite for euery ſuch default. x. li. to the Q. & I. to be recouered by accion, information &c. wherein no Wager, Eſſoyne, protection, &c. 21. H. 8. 13.

Who may be diſcharged of reſidence, & by what meanes.

22 ¶ This Statute of Non reſidence ſhall not extende, nor be preiudiciall to any ſpirituall perſon beyng in the Queenes ſeruice beyonde the ſea, nor to any perſon goyng to any pilgrimage, or holie place beyonde the ſea, during the tyme of their ſeruice and pilgrimage, and going and returning home, nor to any ſcholer vnder the age of fourtie yeere beyng conuerſant and abyding for ſtudie, (without fraude) at any Vniuerſitie within this Realme or without. 21. H. 8. 13. So that the ſayde ſcholer be preſent at the ordinarie lecture, aſwell at home in their houſes as in the common ſchooles, and in his proper perſon keepe Sophiſmes, problemes, diſputations or other exercíſes of learning, and be opponent, and reſpondent in the ſame, according to the ordinaunces and Statutes of the Vniuerſities where &c. Nor to any ſcholer of, or aboue the age of fourtie yeeres, beyng conuerſant in any of the ſayde Vniuerſities, which is Chaunceller, vice Chaunceller, or Commiſſarie of any of the ſayde Vniuerſities, or Warden, Deane, Prouoſt, Preſident, Rector, Maiſter, Principall, or other head ruler of a Colledge, hall, &c. or Doctor of the Chaire, or Reader of Diuinitie in the common ſcholes, or Reader of any common lecture in diuinitie, lawe Ciuill, Phyſike, Philoſophie, Humanitie, or any of the liberall ſciences, or common Interpretor or teacher of the Hebrue, Chaldey, or Greeke tongue in any Colledge or other place of the ſayde Vniuerſities, Nor to any perſon aboue the age of fourtie yeres, which ſhal reſort to any of the ſayde Vniuerſities to procure Doctor in Diuinitie, Lawe Ciuill, or Phyſicke, for the tyme of his proceeding and executing of ſuch ſermons, diſputations, and lectures, which by the Statute of the Vniuerſitie hee is bounde vnto for the ſayde degree. 28. H. 8. 13. Neyther ſhall this Statute extende to any Chapleynes of the King, Queene, Prince, Pyncelle, King or Queenes children, brethren or ſiſterne, nor to any Chapleyne of any Archbiſhop, Biſhoppe, ſpirituall or temporall Lorde of the Parliament, Duches, Marqueſſe, Counteſſe, Vicounteſſe, Baronneſſe, (beyng widowes, or marryed againe &c.) Lord Chaunceller or Treaſorer of England, the Queens Chamberleyne or Stewarde of her houſholde, or of the Treaſorer or Comptroller of the Queenes houſe, nor to any Chapleine of any

Knight

Knight of the Garter, chiefe Iuſtice of the Kinges Bench, Warden of the fiue Portes, Maſter of the Rolles, the Quenes Secretarie, Deane of the Queenes Chappell, or of the Queenes Almer attending dayly in the houſholde of the foreſayd perſons, during the tyme that any ſuch Chaplayne ſhall abyde and dwell in any of the ſayde houſholdes. 21. H.8.13. Neyther ſhall this Statute of Non reſidence be preiudiciall to any one Chapleyne of any of the Iuſtices of the Kings Bench, or of the Common pleas, of the Chancellor, or chiefe Baron of the Eſchequer, of the Queenes Attorney, or generall Soliciter. But euery of them may haue one Chapleyne in his houſe, or attendant on his perſon, hauing one benefice with cure of ſoules, which may be abſent and not reſident. 25. H.8. 16. Neyther doeth this Statute extende to any one Chapleyne of the Chauncellor of the Duchie of Lancaſter, or of the Maſter of the Queenes Wards and Liueries, or of the Treaſorer of the Queenes Chamber, or of the Groome of the ſtoole. Euery of which may retayne ſingularly in his houſe, or attendant vnto his perſon one Chapleyne hauing one benefice with cure of ſoule, which may be abſent from his benefice and not reſident. 33. H.8.28. Neyther doth this Statute of Non reſidence be preiudiciall to the maſter of the Rolles, or Deane of the Arches, nor to any Chauncellor or Commiſſarie of any Archbiſhop or Biſhop, nor to as many of the two maſters of the Chauncery, and twelue Aduocates of the Arches be ſpirituall men, during the tyme they ſhall occupy their roomes, nor to any ſpirituall perſon, which ſhall by iniunction of the Lord Chauncellor or Queenes Counſell be bounde to dayly appearance to anſwere the lawe, during the time of ſuch iniunction. 21. H.8.13. And the Reſidence of him which ſhalbe Suffragan ouer the diocis where he ſhall haue commiſſion, ſhal ſerue him for his reſidence as ſufficiently, as if he were reſident vpon any other his benefice. 26. H. 8.14.1.El. 1.

These Chapleines muſt sometime reſort to their Cure.

23 ¶ If any Chaplayne of the Chauncellor of the Duchie of Lancaſter, of the maſter of the Wardes and Liueries, of the Treaſorer of the Queenes chamber, or of the Groome of the ſtoole, who is licenced to be abſent and not reſident vpon his benefice, doe not repayre two tymes in euery yeere at the leaſt to his benefice and cure, and there tary viii. dayes at the leaſt, at euery tyme, to viſite and inſtruct his cure, he ſhall forfaite xl. s. for euery time ſo failing to the Q. and I. to be recouered by A. I. &c. wherein no W. E. P. 33. H.8.28.

24 ¶ If any perſon being elected, prefected, preſented, nomi- First fruites.
nated, collated, or appointed to any Archbiſhoppricke, Biſhoppricke, Colledge, Hoſpital, Archdeacoury, Deanry, Prouoſtſhip, Prebend, Parſonage, (exceeding the peerely value of x. markes, after the value vpon the recordes and bookes of rates and values, for the firſt fruits and tenthes remayning in the Eſchequer) vicarage (exceeding the yerely value of tenne pound after the ſame rate) or other dignitie, benefice, office, or promotion ſpiritual within any of ỹ Queenes dominions, (the Deane and Canons of the Chappell of S. George within the Caſtell of Windſor, and all the poſſeſſions and hereditaments of the ſame Chappel, the Vniuerſities of Cambridge and Oxforde, and certeine Colledges and Halles therein, and the Colleages of Eton and Winchester except) doeth not before the actuall or real poſſeſſion, or medling with the profites thereof, ſatisfie, content, and pay or compounde, or agree to pay to the Queenes vſe, at reaſonable dayes vpon good ſureties, the firſt fruites, reuenues and profites for one yeere of the ſaid dignitie or promotion ſpirituall (which yeere ſhall beginne and be accompted immediatly after the vacation or auoydaunce of the ſaid promotion. 28. Hen. 8. 11.) and is thereof conuict, by preſentment, verdict, confeſſion or witneſſe, before ſuch as haue authoritie to compound for the ſaid firſt fruites, he ſhalbe taken an intrudor vpon the Queenes poſſeſſion, and he, his executors or adminiſtrators ſhall pay to the Queenes vſe, for euery ſuch offence, ſo much money as ſhall amount to the double value of the firſt fruites of the ſpirituall promotion for one yeere, wherein he ſhall enter and intrude before the payment of the ſaid firſt fruites or agreement for the ſame. 26. H. 8. 3. 1. El. 4.

25 ¶ All writinges obligatorie, taken for the payment of the ſaid firſt fruites by any perſon deputed to compound for the ſame, be of the ſame ſtrength, qualitie and effect, to all intents, as writings obligatorie made by any Lay perſon by authoritie of this ſtatute ſtaple bene. And no perſon ſhalbe compelled to paye for any writing obligatorie to be made, for the payment of the ſaid firſt fruites, aboue viii. d. nor for any acquittance for the receipt therof aboue iiii. d. 26 Hen. 8. 3. Obligations for firſt fruites in the nature and ſtrength of a ſtatute. The fees.

26 ¶ But euery perſon named, preſented, or by any meanes appointed to any dignitie or promotion ſpirituall, ſhall at his compoſition and entre into ſpecialtie for the payment of his firſt fruits, haue allowance, and deduction of the tenth part of the whole, out of the ſumme to be payd for the ſaid firſt fruites, for the yeere wherein he The tenthes ſhal be deducted forth of the firſt fruites.

ſhalbe firſt nominated, preſented, or by any other meanes appointed to any ſuch dignitie or promotion ſpirituall, according to the iuſt rate and taxation of the Tenth of euery ſuch promotion ſpirituall. And then he ſhall pay vnto the Queenes Maieſtie, her heires and ſucceſſors the ſaid tenth part the ſaid firſt yere. 27. H. 8. 8.

The rate how by death or euiction the incumbent ſhalbe diſcharged of the firſt fruites or part thereof.

27 ¶ If any incumbent of any ſpirituall promotion chargeable to pay the firſt fruites, doth liue to the end of one halfe yeere next after the laſt auoydance of the ſaid promotion, ſo as he hath or without couin might lawfully haue receiued or enioyed the rents or profites of that halfe yeere, and before the ende of the other halfe yeere then next following doth die, or is lawfully euicted, remoued, or put from the ſaid promotion ſpirituall, by iudgement in an action at the common lawe without fraud or couin, then he, his heires, executors, Adminiſtrators, and ſuerties, ſhalbe charged but onely with the fourth part of the firſt fruites due to be payed for his ſaid promotion, and with no more of the ſaid firſt fruites, any thing in this Act, any booke or writing or other matter notwithſtanding, &c. If the incumbent liue by the ſpace of one whole yeere next after the laſt auoidance of the ſaid promotion ſpirituall, and then before the ende of one halfe yeere then next after ſhall fortune to dye or be lawfully euicted, remoued, &c. then he, his executors or &c. ſhalbe charged but onely with the moitie of the firſt fruites, &c. and with no more. If the Incumbent liue to the end of one whole yere and a halfe next after the laſt auoidance, &c. and then before the end of vi. monethes then next following ſhall fortune to die or be lawfully euicted, &c. Then he or &c. ſhalbe charged but onely with three partes of the firſt fruites of the ſame promotion ſpirituall in foure to be diuided, and with no more. If the Incumbent doeth liue to the end of two whole yeres next after the laſt auoidance of the ſame his promotion ſpirituall, and not be lawfully euicted, remoued, or put from the ſame &c. then he, his heires, executors, adminiſtrators and ſuerties ſhalbe charged with the whole firſt fruites. 1. El. 4.

28 ¶ Euery Archbiſhop, Biſhop, Archdeacon, Deacon, Prebendarie, Parſon, Uicar, and other hauing any benefice or promotion ſpirituall, in England, or Wales, ſhall yeerely paye to the Queenes maieſtie, her heires, and ſucceſſours, at the feaſt of the Natiuitie of our Lord, one yeerely rent or penſion, amounting to the value of the tenthe part of all the reuenues, rentes, farmes, tithes, offrings, and emoluments, and all other profites, aſwell ſpirituall as temp-

as temporall, belonging to any of the ſaid dignities or promotions (which tenth euery of them ſhalbe charged to pay in the proper dioces where they be, whereſoeuer their poſſeſſions and profites do lye) And which tenth euery Archbiſhop and Biſhop is charged to leuye, collect, and receiue within his proper dioces, aſwell in places exempt, as not exempt, and they, their executors and adminiſtrators, and the poſſeſſions of their Churches ſhal ſtand charged for the paiment of ſuch ſummes as they ſhall collect, and when any Sea is void, then the Dean and Chapter of the Cathedrall Church where ſe, their executors, adminiſtrators and poſſeſſions ſhalbe charged for the execution of this Act, within the ſaid Dioceſſe, But this Act doth not charge any hoſpitall founded and vſed, and the poſſeſſions thereof employed to and for the reliefe of the poore, or any Schole, or the poſſeſſions of them with the payments of any tenthes, or firſt fruites. 26. H. 8. 3. 1. El. 4.

The Biſhops collectors of tenthes.

Hoſpitall. Schoole.

29 ¶ If any ſumme of money being once due, by any incumbent, of any dignitie, benefice, or promotion ſpirituall, charged to the payment of the ſaid tenthes, be reaſonably demaunded after the feaſt of the Natiuitie of our Lord God, at his dignitie or Church, by the Archbiſhoppe, Biſhoppe, or ſuch as ſhalbe charged with the collection of any part of the ſaid penſion, or by any of their Miniſters, ſeruauntes or officers, And the ſaid incumbent doth not content and paye vnto the ſaid Archbiſhoppe, Biſhoppe, or other Miniſters, euery peere yeerely at the requeſt thereof, or els within fourtie dayes after at the furtheſt, Then euery incumbent making ſuch default, after the default certified into the Queenes Eſchequer in writing vnder the ſeales of the Archbiſhoppe, Biſhoppe, or ſuch as be charged with the collection of the ſaid tenth, ſhalbe adiudged, demined, (Ipſo facto) of that dignitie or benefice onely, whereof ſuch certificat ſhalbe made. 26. Hen. 8. 3. 2. Edw. 6. 20. And the ſaid Archbiſhoppe or Biſhoppe making ſuch certificat, (before or at the laſt day of May. 7. Edward. 6. 4.) ſhalbe diſcharged againſt the Queene for ſuch ſumme of money as ỹ ſaid incumbent ſhould haue payed. 26. Hen. 8. 3. And alſo the ſaid Archbiſhoppes, Biſhoppes, and any of their deputies, and other Accomptantes authorized to accompt for them, vpon their accomptes of and for the ſaid yeerely truth, ſhalbe diſcharged vpon their othes, of paymẽt of ſuch ſummes of money of the ſaid Annual rent or tenthe as they cannot lawfully leuye. 32. Hen. 8. 22. S. Eſchequer.

The penaltie for default of payment of the tenthes.

2 That nothing ſhalbe taken of any perſon hauing charge with the collection of tenth for his accompt or Quietus eſt.

The fruites taken in the vacation reſtored to the next incumbent.

30 ¶ If any Biſhop, Archdeacon, Ordinarie, or other perſon to his vſe, doe receiue or take the fruites, tithes, oblations, commodities, reuenues, rentes, profites, or caſualties, comming, growing, or belonging to any Archdeaconrie, Deanrie, Prebend, Parſonage, Vicarage, Wardenſhip, Prouoſtſhip, or other ſpirituall promotion, benefice, dignitie or office, during the vacation of the ſame, and vpon reaſonable requeſt made, doe not reſtore and paye the ſame to the next incumbent, being lawfully inſtituted, inducted or admitted to ſuch Archdeaconrie, Parſonage, or promotion, or doeth let or interrupt the ſaid incumbent to haue the ſame, Then he ſhall forfait the treble value of ſo much, as he ſhall haue receiued of the ſaid fruites, or hath let or interrupted the incumbent to receiue and take of the ſaid fruites, tythes, &c. to the Queene and the incumbent &c. to be recouered by A. I. &c. wherein no W. Eſſoine, P. &c. For euery perſon

The incumbents beneſite and charge ſhal begin during the vacation.

preſented, promoted, admitted, inſtituted, or inducted to any promotion ſpirituall, and his executors, ſhall haue the tythes, fruites, oblations, and all other whatſoeuer reuenues, caſualties and profits certeine and vncerteine belonging to the ſaid promotion, growing, ryſing, or comming, during the vacation of the ſame promotion, ſo ſuing that if the firſt incumbent haue ſowen any part of his glebe landes, he may declare his Teſtament of the profite of the Corne growing vpon the ſame, And alſo the Biſhoppe, Archdeacon, Ordinarie, or their miniſters may reteine in their cuſtodie ſo much of the tithes, fruites, and other commodities as ſhall amount to paye to ſuch perſon as hath ſerued the cure during the vacation, his reaſonable ſtipend, and alſo for the gathering and leuying of the tithes, fruites, and profites ryſing and growing during the vacation. And alſo the yeere, in which the firſt fruites ſhalbe payed to the Queene, ſhall beginne, and be accompted immediatly after the auoydance or vacation of ſuch benefice or ſpirituall promotion. 28. Hen. 8. 11.

Vnion of two Churches by the aſſent of the parſon, patrone, and Ordinarie.

31 ¶ An vnion or conſolidation of two Churches in one, or of a Church and Chappell in one, the one of them not being aboue the yeerely value of vi. pound as it is valued at to the Queene in her Exchequer, and not diſtant from the other aboue one mile in any place within this Realme of England, may be had or made by the aſſent of the Ordinarie & Ordinaries of the Dioces where ſuch Churches and Chappels ſtand, and by the aſſents of the incumbents of them,

and

and of all ſuch as haue iuſt right, title and intereſt to the patronages of the ſame, being then of full age. And ſuch vnions and conſolidations made of two Churches in one, or of a Church and Chappell in one, ſhalbe good and auaylable in lawe to continue for euer vnited in one, in ſuch maner and forme, as by writing vnder the ſeale of ſuch Ordinaries, incumbentes, and patrones it ſhalbe declared, Alwayes ſauing to the Queene the tenthes and firſt fruites of all ſuch Churches and Chappels as ſhalbe vnited in one, according to ſuch like rates as the ſame are now rated at in ꝑ Eſchequer. 37. H. 8. 21. 1. Eliz. 4.

No vnions in corporat townes without conſent of the corporations.

32 ¶ But al vnions & conſolidations to be made of any Church or Chappell, within any Citie or Towne corporat within England, without the aſſent of the Maiors, Shirifes and Comminaltie of the Citie, or without the aſſent of ſuch bodies corporat of other Townes corporat, where ſuch Churches, Church or Chappell ſhalbe, by the names of their corporations in writing vnder their common ſeale, ſhalbe clearely voyde. 37. H. 8. 21.

The vnion auoided vpon a competent liuing aſſured.

33 ¶ Prouided that where the inhabitants of any ſuch poore pariſh, or the more part of them, within one yeere next after the vnion of the ſame pariſh, by their writing ſufficient in the lawe, ſhall aſſure the incumbent of the ſaid pariſh for the yeerely payment of ſo much money as with the ſumme that the ſaid pariſh is valued at in the Eſchequer ſhal amount to viii. pound, to be payed yerely by the ſaid inhabitants to the ſaid incumbent and his ſucceſſors, then all ſuch vnions and conſolidations to be made of any ſuch poore pariſhe ſhalbe voyd. But this prouiſo ſhall not extend to any vnion of any Church or Chappel made before the making of this ſtatute. 37. Hen. 8. 21. 1. Eliz. 4. Anno 15. R. 2. & 4. Hen. 4. 12. It was ordeined that in euery licence which ſhould be made out of the Chauncery to appropriat any Pariſh Church, it ſhould be expreſſly conteined that the dioceſan of the place where the appropriation of any ſuch Church ſhould be, ſhould appoint according to the value of the Church, a conuenient ſumme of money to be payed and diſtributed yeerely of the fruites and profits of the ſame Church, to the poore pariſhioners of the ſame pariſh in aide & maintenance of their liuings. And that there ſhould be alſo a Vicar ordeined by the ordinarie which ſhould be well and ſufficiently endowed, ſo that he might doe diuine ſeruice, inſtruct the people, and keepe hoſpitalitie there.

Appropriation.

34 ¶ For as much as the Churchyard is ꝑ ſoile of the Church, and what ſoeuer is planted belongeth to the ſoile, it muſt needes fol-

In what caſes trees may be cut downe in Churchyards.

lowe that thoſe trees which be growing in the Churchyard are to be numbered amongſt the goods of the Church, the which Lay men haue no libertie to diſpoſe, But becauſe thoſe trees be planted to defend the force of the winde from hurting the Churches, the Parſons of Churches ſhall not preſume to cutte them downe vnaduiſedly, but when the Chauncell of the Church hath neede of neceſſarie reparations, Neither ſhall they be conuerted to any other vſe except the body of the Church doeth neede like repaire, in which caſe the Parſons of their charitie ſhall doe well to relieue the parſhioners with the ſame trees. 35. Edw. 1. Ne Rectores proſternant arbores in Cemiterio. This is not aptly to be termed a ſtatute, but rather a requeſt, counſell or aduertiſement of King E. 1. Ideo quere for the validitie thereof.

Recouerie and conuetance in a temporal court of a ſpiritual liuing.

35 ¶ S. Tithes. 23. In all caſes where any perſon hauing eſtate of inheritance, freehold, terme or intereſt in any Parſonage, Vicarage, or other Eccleſiaſticall profit made temporall, ſhalbe wrongfully put out of the ſame, he may haue his remedie in a temporall Court by original writte out of the Chauncerie, And alſo writte of couenaunt, and other writts for fines to be leuied of Parſonages, Vicarages &c. ſhall be ſued out of the Chauncerie, and iudgements giuen and fines leuied of the ſame be good and effectuall in lawe.

Preachers. 1 That Eccleſiaſticall perſons ſhall not be moleſted which are preaching or doing diuine ſeruice. S. Arreſts. 1. Preachers. 1.

Corne ſowen. 2 That an Incumbent may declare his wil of Corne ſowen vpon his Glebe land. S. Teſtaments. 21.

Common prayer. 3 What eccleſiaſtical perſons ſhal forfait which do not ſay common prayer or miniſter the Sacraments, as they ought. S. Sacraments. 2.

Othe. 4 Which eccleſiaſtical perſons ſhal take the oth for the Queenes ſupreme gouernement ouer all eſtates, and vpon what paine. S. Queene. 5. 6. 8. 10.

Queene. 5 The puniſhment of an eccleſiaſtical perſon which cõpaſſeth to deſtroy or depoſe the Queene, or to leuie warre within the Realme, or maynteineth that ſhe ought not to be Queene. S. Queene. 12.

Purueyors. 6 That the goods of an eccleſiaſtical perſon ſhal not be taken by any of the Queenes purueyours. S. purueyours. 2.

Alien. 7 That no alien ſhall take a benefice within England without the Queenes licence, neither any man occupie to his vſe, nor that any biſhop ſhall meddle with the fruites of any benefice giuen to an alien. S. Premunire. 2. 3. 4.

8 That eccleſiaſticall perſons may be puniſhed by their ordinaries for incontinencie, S. Incontinencie, 1. Incontinencie.

9 That the Clergie ſhall make no conſtitutions without the Queenes aſſent, S. Conuocation. 2. Cõſtitutions.

10 What apparel eccleſiaſtical perſons may weare, S. Apparell. 13. 14. 16. Apparel.

11 What an eccleſiaſtical perſon ſhall forf. which giueth licence to eate fleſh to him that hath no neede. S. fiſh dayes. 6. Licence.

12 What an eccleſiaſticall perſon ſhal loſe which paſſeth the ſea without the Queenes licence, and doeth not returne within vi. moneths after proclamation. S. fugitiues. 2. 3. Fugitiue.

13 How many horſes euery eccleſiaſticall perſon is chargeable to keepe, S. Horſes. 10. 11. Horſes.

14 Howe many ſheepe ſpiritual perſons may keepe, S. Sheepe, 10. Sheepe.

15 For forcible entre or forcible deteyning of eccleſiaſticall liuings, S. force, &c. 2. Force.

16 Concerning remedie for dilapidations made by any eccleſiaſtical perſons, S. Dilapidations, 1. 2. Dilapidations

17 In what fees of the Church a diſtreſſe may be taken, S. Diſtreſſe, 3. Diſtreſſe.

18 For freſh ſuite by writte of Entre, &c. after the diſſeiſon by prelates. S. Age, 1. Diſſeiſon.

19 Where title to preſent by lapſe ſhall not accrue to the ordinarie, but after vi. monethes after notice. S. Lapſe. 1. Lapſe.

20 Where it is mortmain for any ſpiritual perſon to enter into Lands and make a Churchyard or buriall place thereof, S. Mortmaine, 3. Mortmaine.

21 What aſſurances of lands may be made to Churches, Chappels, Churchwardens, &c. in what ſort, and for howe long time. S. Mortmaine, 6. 7. Aſſurance to Churches.

22 Howe much eccleſiaſticall perſons, and their farmours ſhall take for mortuaries, and of whom. S. Mortuaries. Mortuaries.

23 The remedie where a diſturber preſenteth to a Church during the vacation. S. Auowſon. 1. Vacation.

24 A confirmation of Eccleſiaſtical liuings before aſſured to K. H. 8. & K. Ed. 6. S. Monaſteries. 29. 31.

25 What remedie a parſon of a Church ſhall haue to recouer Land or common of paſture, vvhereof he or his predeceſſor was deiected. S. Quod permittat, 1.

Egyptians.

Bringing ouer Egyptians or suing for licence or passport for them.

IF any person doth willingly transport into England or Wales any persons commonly called Egyptians, or doeth sue for any letter, licence, or passport for any of the said Egyptians to continue in England or Wales, contrary to this statute, he shall forf. xl. li. to the Q. and I. to be recouered by A. I. &c. wherein no W. E. P. &c. And also such letter, licence, and passport shal be voyd. 1. &. 2. P. & M. 4.

It is felonie for Egyptians to continue within this Realme a moneth.

2 ¶ If any persons called Egyptians being aboue the age of xiii. yeeres, which shalbe transported into England or Wales, doe continue within the same by the space of one moneth, Or any persons being of the age of xiiii. yeeres shalbe seene in any company of the vacabounds calling themselues Egyptians, or counterfaiting, transfourming, or disguising themselues by their apparell, speach or other behauiour like vnto Egyptians, and so shal continue, either one, or seuerall times, by the space of a moneth, they shall be iudged felons. 1. & 2. P. & M. 4. 5. Eliz. 20.

1 That an Egyptian shall not haue his Clergie. S. Clergie. li.

2 That the trial vpon arraignment of Egyptians shal not be medietatem lingue. S. Iurors. 30.

Entre.

A disseisors dying seised taketh away no title of Entre.

THe dying seised of any disseisor, of, or in any manors, lands, ments, or other hereditaments hauing no right or title the the which with strength, and without title entered into the same wrongfully disseised the rightful owners and possessors thereof, not be taken any such discent in the lawe for to take away the of any such person or persons, or their heires, which at the time of the same discent had good and lawful title of entre, into the said manors, lands, tenements, or hereditaments, Except that such disseisor had the peaceable possession of such lands, &c. whereof he shall be seised, by the space of v. yeeres next after the disseison therein by committed without entre or continuall claime, by or of such per or persons, as haue lawfull title thereunto. 32. Hen. 8. 33.

Writtes of Entre in the post.

2 ¶ If those alienations whereof a writ of Entree had wont be graunted, be past so many degrees, whereby that writte cannot made according to the forme before time vsed, ỹ plaintifes shall a writ to recouer their seison, without making mention of any grees, to whose hands soeuer by such alienations ỹ thing shall Marlbridg. 52. H. 3. 29.

1 Whe

1 Where a writ of Entre is maintenable for the disseisie or his heire, against the disseisor or his heire. S. Age. 1.

Error.

IF the tenant for terme of life, Tenant in Dower, Tenant by Curtesie of England, or tenant in taile after possibility of issue extinct, be impleaded, & plead to an enquest, and lose by verdict, default, or in other maner, he to whom the reuersion of the tenements so lost perteineth at the time of such iudgement giuen, his heires and successours shall haue an Accion by writte of attaint, to attaint the same Jurie, if he will assigne the same othe to be false, and also by writte of Error, if Error be found in the recorde of such iudgement, aswell in the life of such tenaunts that so doe lose, as after their death, And if such iudgement erronious be reuersed, or such false othe be found, the tenant that did lose by the first iudgement (if he be liuing) shall be restored to his possession of the tenements so lost with the issues in the meane time, and the partie pursuyng, to the arrerages of the rent, if any be due of the same tenements. And if such tenaunt be dead at the time of the iudgement giuen, vpon such writs of attaint and of Error, restitution of the sayde tenements shall be made to the party pursuyng, with the yssues after the death of the sayde tenaunt, together with the arrerages of the rent if any to him were due in the life of the tenaumt, But although the tenaunt which so did lose by iudgement, be liuing, and the party pursuing will alledge that the same tenaunt was of Couin, and of the assent of the demaundant which recouered to lose such tenements, yet restitution shalbe made to the same partie pursuing with the issues and arrerages, Sauing to such tenant his accion by Scire facias, out of ỹ same iudgement so reuersed, or by writ of Attaint if he will trauerse the Couin and assent, and not otherwise. 9. R. 2. 3. S. Recoueries. 5. if any recouery be had by agreement of the parties, or by couin against any such tenant for terme of life, or against any other with voucher ouer of any such tenant, the same against him in the reuersion or remainder shalbe voide. 14. El. 8.

Ye in the reuersion shall haue a writ of errour & Attaint vpon a iudgement giuen against the particular tenant.

Recouerie against tenant for life.

2 ¶ In all cases touching the Queene or other persons where a man complaineth of error made in proces in the Eschequer, the Chauncelor and Treasorer shall cause to come before them in anye chamber of counsell nigh the Eschequer, the record of the proces out

Error in the Eschequer.

out of the Eſchequer, and taking to them the Juſtices, and ſuch other ſages as they ſhall thinke meete, they ſhall call before them the Barons of the Eſchequer to heare their Informations and the cauſes of their iudgements, and ſhal duely examine the matter. And if any error be found, they ſhall correct it, and amende the roules, and after ſend them backe into the Eſchequer thereof to make execution, as the cauſe requireth. 31. Ed. 3. 12.

1 That a writ of error ſhall be ſued in the Kinges Bench of erronious iudgement giuen in the Marſhalſie. S. Marſhal. 5.

2 VVhere the defendant in a writ of Error ſhall recouer his coſts and damages. See damages. 4.

Eſcape.

Eſcape of an accomptant.

IF the Sheriffe or Gaoler doe ſuffer any Chamberlaine, Bailiffe, ſeruant, or other receiuer to goe at libertie, which is committed to priſon by the auditors of his accompt, by the common writte of Replegiare, or otherwiſe, without his maſters aſſent, and be thereof conuict, he ſhall anſwere to the maſter of ſuch accomptant, the damages which he hath receiued by the ſaid accomptãt, according as they may be proued by the countrey, and he therefore ſhall haue an Action of debt, and if the gaylor be inſufficient, his ſuperiour that commits the gaole vnto him, ſhal be anſwerable by the ſame writte. VVeſt. 2. 13. Ed. 1. 11. S. Accompt. 2.

Lenying of money for eſcapes

2 ¶ If the Sheriffe or any other do take, or leuie any thing for the eſcape of any felon, before it be adiudged by the Juſtice in Eire, he ſhall reſtore to the partie, or him that payed it, as much as he receiued, and to the Queene as much, VVeſt. 1. 3. Edw. 1. 4. for the eſcape of felons and clerkes conuict, ſhalbe iudged by the ſame Juſtices and by their view leuied. 31. Ed. 3. 14.

A priſoner condemned goeth by bayle or baſton.

3 ¶ If the warden of the Fleete, doe ſuffer any priſoner there being by iudgement at the ſute of the partie, to goe out of priſon by baile, Mainprize, or Baſton, without agreeing with the partie at whoſe ſuyte he is there (except it be by the Queenes writte or commandement) he ſhall loſe his office. And if the ſayde warden be attainted by due proces, the plaintife ſhall haue his recouerie againſt him by Accion of debt, wherein no Protection. 1. R. 2. 12. It ſeemeth by 7. H. 4. 4. that the wardens of the priſons of the Marſhalſie, Kings Bench, and other priſons in Cities, Boroughes, and Townes, are chargeable accordingly, if they let any priſoners condemned goe at libertie.

1 Howe they ſhalbe puniſhed which do procure the eſcape of any perſon committed to priſon by the Queenes commandement. S. Priſon. 8.

2 That the towne ſhall be amerced for the eſcape of a murderer. S. Murder. 1.

3 Howe an eſcape of him which diſturbeth a preacher in his Sermon, ſhall be enquired of, preſented, and puniſhed. See Preachers. 3.

4 That Iuſtices of peace haue authoritie to enquire of eſcapes of felons. S. Iuſtices of peace. 19.

Eſchequer.

If a clerke of the Eſchequer make any writ or proces for to proue that a debt of newe, which hath bene payd, and the tailes thereof ioyned and allowed in the ſaid Eſchequer, he ſhall loſe his office, & be impriſoned vntill he hath ſatiſfied the partie ſo much as by the diſcretion of the Treaſorer and Barons he is endamaged. 1. R. 2. 5. Clerke making proces for debt which is payd.

2 If any officer of the Eſchequer doe take of any Archbiſhop, Biſhoppe, or other perſon hauing charge, with the collection and payment of the Tenth of ſpirituall promotions, any reward or thing for making his accompt, or Quietus eſt, in the ſame Eſchequer, or for any thing pertaining to the ſame concerning the tenthe, he ſhall forfeite his office, and make fine at the Queenes pleaſure. 26. H. 8. 3. Nothing ſhal be taken of him which payeth the tenthe.

1 That collectors of diſmes accompting in the Eſchequer ſhal not be bound to anſwere to other mens billes exhibited againſt them there. S. Accomptants to the Q. 42.

2 The maner of reforming erronious iudgements giuen in the Eſchequer. S. Error. 2.

Eſchetor.

If any perſon named, and certified into the Chauncerie by the Lord Treaſorer to be Eſchetor, do not within one moneth next after his letters patents ſhalbe offred vnto him, take vpon him the execution of the ſame office, or els within the time aforeſaid appeare in the Eſchequer, and ſhewe a reaſonable cauſe why he ought not ſo to doe, he ſhall forfeite for euery ſuch default to the Q. 11. li. 33. H. 8. 22. Within what time an Eſchetor appointed ſhall take or refuſe the office.

2 An Eſchetor which ſhall ſit onely by vertue of his office to enquire of the tenure, title, or value of any landes, tenements,

or

An Eſchetor ſhall not finde an office of lands to the value of v.li. virtute officii.

or hereditaments, being of the yeerely value of v.li. or aboue, and holden of the Queene without the Queens writ directed to him for the ſame, ſhall forfeite v.li. for euery time that he ſhall ſit and make enquirie to the contrary. &c. 33.H.8.22.

The Eſchetors fees when the land doth not exceede v.li.

3 ¶ If any Eſchetor doeth take aboue the ſumme of xv.s. for the finding of an office of any landes, tenements, or hereditaments, not exceeding the cleare yeerely value of v.li. viz. for the Eſchetors fee vi.s viii.d. for the writing of the office iii.s. iiii.d. for the charges of the Jurie iii.s. and for the officers that ſhall receiue the ſaid office in any court of record ii.s. he ſhall forfeite for euery time ſo offending v.li. to the Queene and I. to be recouered by A. I. &c. wherein no W. E. P. &c. 33.H.8.22.

Officers returned not founde or not ſealed by the Jurie.

4 ¶ If an Eſchetor, or commiſſioner doeth returne, or put into any of the Queenes courts, any Inquiſitions or offices concerning lands, tenements, or hereditaments not found nor preſented by the othes of twelue men, and Indented, and by them ſealed, the ſaid Eſchetor or commiſſioner ſhall forf. for euery ſuch office or inquiſition ſo returned C.li. to the partie, or parties greeued by any ſuch inquiſition or office. 1.H.8.8. 3.H.8.2.

Not ſufficient of freehold.

5 ¶ If an Eſchetor or any other by vertue of any commiſſion doth ſit to enquire of lands, tenements, or hereditaments, exempt he, or other to his vſe, hath lãds, tenements, or hereditaments, of the yeerely value of xl. markes aboue all charges, he ſhall forfeite xl. (without he be an Eſchetor in a citie, or towne corporat, or made by ſome perſon hauing priuiledge thereunto, and except the Eſchetors of the counties Palentine of Lancaſter and Cheſter:) for any perſon being not ſufficient of free hold may refuſe to ſit vpon the ſaid commiſſion, and vpon proces made againſt him out of the eſchequer ſhalbe diſcharged vpon his othe for non ſufficiencie without fine or fee. 1.H.8.8. 3.H.8.2.

Euery man may giue euidence vpon an office.

6 ¶ If any Eſchetor or commiſſioner will deny any perſon to giue euidence openly in his preſence to ſuch enqueſts as ſhall be taken before him for the finding of any office, he ſhall forfeite xl.li. 1.H.8.8. 3.H.8.2.

The Eſchetor ſhall receiue an office & deliuer the counterpane

7 ¶ If an Eſchetor or commiſſioner, or part of the commiſſioners (after an enqueſt before him ſworne to enquire of lands, &c. is ready to giue their verdict and offer to preſent the ſame) do not receiue the ſame verdict without further delaye, and alſo doe not deliuer the counterpane of the office or inquiſition by the Jurie found indented and ſealed by him ſelfe, to the ſame Jurie, to the

intent it may be deliuered & reſt in the poſſeſſion of the firſt perſon of the ſaid Jurie, the Eſchetor or commiſſioner which ſo offendeth ſhall forf. C.li. to the P. greeued to be rec. by A. of debt. and euery of the Jurors ſworne which ſhall not receiue the counterpane of the ſaid office indented and ſealed by the Eſchetor or commiſſioner, or ſhall not ſuffer the ſame to reſt in the poſſeſſion of the firſt man of the Jurie, ſhall forf. xx.s. to the Q. & I. to be recouered by A. of debt, wherein no W.E.P. &c. 1.H.8.8. 3.H.8.2.

How long one ſt albe Eſchetor.

8 ¶ If an Eſchetor do exercile his office by reaſon of one patent ouer one whole yere, or be made Eſchetor within three yeeres after, then after the ſaid yere ended his patent ſhall be voyde, except he be Eſchetor by patent or graunt in any citie or towne corporat, or in the Duchie of Lancaſter or Cornewall, or in any county Palentine, or made by any perſon hauing authoritie by any priuiledge, preſcripcion, or graunt to make Eſchetor. 1.Hen.8.8. 3.H.8.2. 14. Ed.3.8.

Within what time & where an Eſchetor ſhall take his enqueſt.

9 ¶ If an Eſchetor doth not take his enqueſt of office by vertue of a diem clauſit extremum, or any other writ within the moneth next after the deliuerie of the ſayde writte vnto him, (or if he doe not take ſuch enqueſts in good townes & open places, 3.H.8.2.) or if he do take priuily or openly, by himſelfe or any other aboue the ſumme of fourty ſhillings for the execution of any writte in one county, he ſhall forfeite for euery offence fourty pound. 23.H.6.17. See 4.Ed.3.13. 36.Ed.3.13. That if the Eſchetor do not take his enqueſts in good townes openly, and by honeſt men of good fame, and hauing ſufficient in the ſame county, and by Indenture betwixt the Eſchetor and the Jurors, the ſame enqueſts ſhall be voyde, and the Eſchetor ſhalbe two yeres impriſoned, and puniſhed at the Queens pleaſure. But for theſe penalties Quere.

Eſchetors fee.

Quere.

Within what time an office ſhalbe returned

10 ¶ If an Eſchetor or commiſſioner doeth take any office before him, and doeth not returne the ſame into the Chauncery, or Exchequer within a moneth after the taking thereof, he ſhall forfeit fourty pound and alſo pay to the Queene ſo much as ſhe is indamaged by not returning thereof. 8.Hen. 6.16. 18.Hen.6.7. But if the clerke of the petite bagge of the Chauncerie, or his deputie, or ſome other officer there hauing authoritie to receiue any ſuch office of inquiſition, to whoſe handes any ſuch office ſhall come, will not receiue the ſame, and put it on the files, to remaine of recorde, within three dayes after it be receiued, or offred to him, the clerke ſhall forfeite for euery default fourty pounde, and the Eſchetor or Commiſſioners

miſſioners ſhall be diſcharged of the foreſaide forfaiture of xl.li. H.8,8. 3.H.8.2. See Office,5,6.

Enqueſt returned by the Shyriffe.

11 ¶ If any Eſchetor or commiſſioner doeth take any enquiſ of enquirie of any other perſons, but of ſuch as be returned and impanelled by the Shiriffe of the county where he is Eſchetor commiſſioner,he ſhall forfeit xl.li.8.H.6.16. 18.H.6.7.

Eſchetors deputie.

12 ¶ No Eſchetor ſhall ſell or let to farme his office, nor ſh make any deputie but ſuch for whome he will anſwere at his per And the Eſchetor ſhall certifie the name of his deputie or deput vnder his letters patents to the Treaſorer and Barons of the E chequer within twentie dayes after deputation made. And no putie ſhall take vpon him to occupie the ſaid office except the E chetor hath landes,tenements or rents,to the value of twenty po vpon paine of forfeiture for euery offence fourty pound to the and I. to be recouered by A. of debt, wherein no W.E.P.ſe Ed.4.9. But the Eſchetor himſelfe ſhall not ſit to enquire of l or tenements,except he hath landes to the value of fourty ma Et Quere if the ſtatute 1.H.8.8. 3.H.8.2. doe not therein ta way the force of this ſtatute.See 5.

13 ¶ Euery Eſchetor hath authoritie to enquire by the oth xii.lawfull men of euery offence done contrary to the ſtat. pro 7.Ed.6. to auoyde the great prices,and exceſſe of wines. And enquirie and preſentment taken by the othes of twelue men, ſ of ſuch force,as if it were taken in the Kings Bench. 7.Edw.6 S.VVines.

1 That aſsiſe lyeth againſt an Eſchetor vvhich by colour of office diſſeiſeth any man, S.Aſsiſe.4.

2 That an Eſchetor ſhall haue no fee,nor commit vvaſte in lands of the Queenes vvardes, S.wardes.23.

3 That Eſchetors may enquire of counterfaitors of vvaight and puniſh them.S.Waightes 13.

4 For the Eſchetors duetie concerning finding of offices, S.Offices.

5 VVhat Iurors ſhalbe returned before the Eſchetors or co miſſioners.S.Iurors.13.

Eſtretes.

Eſtretes ſhall be ſhewed to the partye totted.

IF any Shirife or miniſter of his,hauing receiued the greene b to leuie the Queenes debts,doe not ſhewe to the partie inde the eſtretes ſealed,and totte the ſame which is payed,but that debt which in that ſorte is once payed, is another time deman

of the partie, the said sherife &c. shall pay to the P. grieued his treble dammages and make fine to the Q. 42. Ed. 3. 9. S. Accomptants to the Q. 45.

2 ¶ The Iudge (before whome any issues or amerciaments be forfeited) shal charge the Clerke of the court vpon his othe, that he make the rolles of the estretes of such issues & amerciaments distinctly by expresse worde of the cause of the losse, of the terme of the yeere, the nature of the writ, and betwixt what parties such issues &c. be lost. 7. H. 4. 3. Rolles of estretes shalbe made certen.

1 That sherifes shal make no estretes vntil two Iustices haue had the view of thé, which estretes shalbe endented & the Iustices shall haue one part. S. Shiriffes. 14, 18, 20.

Excommunication.

¶ If a writte of Excommunicato capiendo be awarded against anye person being out of prison, within the Realme, of full age, of perfect memorie, and no maried wife, with sufficient addicion of the defendaunts name, degree, Countie, and dwelling place, (according to the statute of 1. Henrici. 5. 5.) And that in the significauit be contained that the excommunication doth proceed vpon some matter of heresie, refusing to haue his childe baptized, to receiue the communion, or to come to diuine seruice now vsed, or for errors in matters of Religion or Doctrine, nowe allowed in the Church of England, or for incontinencie, vsurie, Symonie, Periurie in the Ecclesiasticall Court, or Idolatrie, the Sheriffe or other officer shall not be compelled to bring the bodie of such person named in the writ into the Kings Bench, but shall returne the writte with declaration briefely howe he hath executed the same. And if he doeth returne that the partie named in the writte can not be founde within his Bailiwicke, Then the Iustices of the Kings Bench shall award Capias against the foresaid person returnable in ỹ same Court in Significauit.

Proces in excommunicato capiendo.

a turne time, two moneths at the least next after the Teste therof, a proclamatiõ to be contained therin, ỹ the Shirife or other officer in ỹ ful county court at ỹ general assise, Gaole deliuery, or quarter sessions in ỹ same county, shal make proclamation at the least x. dayes before the returne of the Capias, that the said partie shall win dayes next after yeld his bodie to ỹ sherifs prison, there to remain prisoner. And if ỹ said party doth not yeld himself to ỹ prison according to ỹ effect of ỹ said proclamatiõ, he shal forf. to ỹ K. x. li. And then shal another Capias in like sort be awarded, wth ỹ like proclamation against ỹ foresaid persõ, at which day if he do not yeld himself to ỹ

sheriffes

sheriffes prison, he shal forf. xx. li. And so Capias with proclamation infinite shalbe awarded with like paines, vntill the party hath yelded himselfe, And when any person shal yeeld his body to the Shirife or other officer, vpon any of the said writs of Capias, Then he shall remaine in prison and custody of the Shirife or other officer, without Bayle Baston, or mainprise, in such maner to all intēts, as he should haue done if he had bene apprehended vpon the said writ, Sauing to Bishoppes and others hauing auctority to certifie any person excommunicate, like auctoritie to receiue the Submission, and to

Excommunicato deliberando.

tisfaction of the said person, and him to absolue, and the same to signifie into the chauncery, and thereupon to haue writs for the deliuerance of the person so absolued from the sheriffs prison, as they haue tofore haue had. 5. El. 23.

2 ¶ But if the offendor against whome the said writ shall be warded, shall not haue a sufficient and lawfull addicion according to the said statute 1. H. 5. Or if in the significauit, it be not contained that the excommunication doth proceed vpon some of the cau offences aforesaid, then all paines & forfaitures limited against persons by this stat. by reason of such writ of Excōmunicato capiendo shal be void, & by way of pleading allowed to ỳ P. grieued. 5. El.

Proces where the Queens writ runneth not.

3 ¶ After a significauit is in the chauncery of record, the tenor of the same shalbe sent by Mittimus to ỳ head officers of such Country of Wales, of the cōties Palantine of Lācaster, Chester, Durham, and Ely, and in the v. portes, where the Queens writ runneth not, and proces of Capias, from thence not returnable into the Kings Bench, within whose office or Juriſoiction the offendor is resiant. And thereupon euery of the said officers shall haue power to make proces to euery of the inferiour officers to whom execution thereof doth appertaine, returnable before the Justices there, at their next Session or court within two moneths next after the Teste thereof, so as in euery degree they shall procede in their sessions & courts against the offendors, as the Justices of the kings Bench aboue are limitted in terme times to do. 5. El. 23.

1 Excommunication for smiting, or laying violent hands in Church or Churchyard. See Fighting. 3. 4.

2 Excommunication for disobeying the sentence of an Ecclesiasticall Iudge in causes of tithes. S. Tythes. 35.

3 That in the writ of Excommunicato capiendo there shall be an addicion of the def. name. S. Addicion. 2.

4 What the Sheriffe shall forfeite which maketh an vn-

returne vpon an excõmunicato capiendo. S. Returne of Sherifs. 9.

Execution.

When a debt is recouered or confessed in the Queenes court, or damages awarded, it is in his election which doth pursue for such debt or damages, to sue a writ of Fieri fac. That is, that the Sherife shal leuy so much of the landes & chattels of the debtor, or else an Elegit. vz. that the Sherife shal deliuer vnto him all the goodes and chattels of the debtor, (sauing his Oxen and Beastes of his plough) and the one halfe of his landes, vntil the debt be leuied vpon a reasonable price and extent, and if he be put out of the same landes, he shall recouer by assise of nouel disseisin, and after by a writ of redisseisin if neede be. West. 2. 13. Ed. 1. 18. Execution by Fieri facias, or Elegit.

2 ¶ There shalbe no proces awarded by summõs, attachment, essoin, view of land, and other solemnities of those thinges which be recorded before the Chauncelor or Justices, and inrolled in ỹ roules, as is vsed in bargaine and couenants made out of the court, But those things which be found inrouled before thẽ, which haue record, or contayned in any fines, whether they be contracts, couenants, obligations, seruices or customes knowledged, or any other thing inrouled, wherein the Queenes court, without offence of law and custome, may execute their authoritie, be of that force, that it shall not be needeful to pleade for them. But if the knowledge be newe, or the fine leuied within a yeere, the plaintife shal haue a writ of execution. And if the cognisance, or fine haue bene of long time, a Scire fac. shalbe directed to the Sherife to warne the partie, against whom the complaint is made, to appeare before the Justices at a certaine day, and shewe why execution shoulde not be made of that which is inrolled or contained in the fine. And if he appeare not at the day, or doe appeare, and can shewe nothing why execution shoulde not be awarded, the Sherife shalbe commanded to execute the things inrolled or contained in the fine. And in like sort shal the Ordinarie be commanded, in case where &c. West. 2. 13. Ed. 1. 45. Execution of things recorded.

3 ¶ If any such landes, tenements, or hereditaments, as shalbe sold and deliuered to any person in execution vpon a iudgement given for him, of his debt or damages vpon a statute marchant, stat. of the staple, or recognisance to him before made or knowledged, or vpon any lawful title or cause wherewith the said landes &c. were liable and bound, at such time as they were deliuered and taken into execution, shall happen to be recouered, lawfully deuested, taken or A remedie for the Cognisee where landes taken by him in execution be recouered.

euicted, from the possession of any such person as shall haue the same in execution, without any fraud or other default of the said tenant by execution, before the said tenant, his executors, or assignes shall haue leuied or receiued the saide whole debt and dammages, for the which the saide landes &c. were deliuered and taken in execution, Then euery such Recouerer, Obligee and recognisee, shal and may haue and pursue a writte of Scire facias out of the same court, from whence the saide former writ of execution did proceede, against such person or persons, as the saide writ of execution was first pursued, their heirs, executors or assignes, of such lands, tenements or hereditaments, as were or bene then liable to the saide execution, returnable into the same court at a certeine daye being full xl. dayes after the date of the same writte, at which day if the defendant (being lawfully warned) make default, or appeare, and doe not shewe & plead a sufficient cause, other then the acceptance of the saide landes &c. by the said former writ of execution, to barre or discharge the same suit, for the residue of the said debt and dammages remayning vnleuied, or vnreceiued by the saide former execution: Then the Lord Chauncelour, or other such Justice or Justices before whom the writ of Scire facias shalbe returnable, shall make eftsones a new writ or writs out of the said former Record of Judgement, stat. Marchant, stat. Staple or recognisance, of like nature & effect, as ỳ said former writ of executiõ was, for ỳ leuying of ỳ residue of al such debt & dammages, as thẽ shal appere to be vnleuied, vnsatisfied, or vnpaid of the whole summe in ỳ said former writ of executiõ contained. 32. H. 8.

Executors.

A remedy for executors for things done in the life of the testator.

EXecutors shall haue a writ of accompt, and like accion & process in the same writ, as their testator should haue had if he had liued. (West. 2. 13. Ed. 1. 23.) And executors shall haue an accion of Trespas against Trespassors for a Trespas done to their testator, of the goods, and cattels of the same testator caried away in his life time. And shall recouer their dammages in such maner, as he whose executors they be, should haue done if he had liued. 4. Ed. 3. 7.

Executors of executors.

2 ¶ Executors of executors shall haue an accion of accompt, of debt, and of goods taken away of the first Testators, & execution of statutes Marchantes and recognisances knowledged in Courtes of Record to the first Testator, in the same maner as the first Testator should haue had, if he had liued. And the same executors of executors shal answere other men so much, as they haue recouered of ỳ goods of the first testators as the first executors should haue done if they had liued. 25. Ed. 3. 5.

3 ¶ Where part of the Executors named in any Testament of any person making any wil of any landes, tenements or other hereditaments, to be sold by his executors after the death of any such testator, doe refuse to take vpon him or them, the administration and charge of the same testament, wherein they be so named to be executors: And the residue do take vpon thē the charge of ỹ same Testament: Then all bargaines, and sales of such lands &c. (so willed to be solde, by the executors of any such testator) made by him or them onely, of the saide executors, that so doth take vpon him or them, any such cure or administration of any such wil, shalbe as good and effectuall in the Law, as if all the residue of the same executors, named in the said testament had ioyned with him or thē in ỹ making of ỹ bargaine and sale, of such lands, tenements or other hereditamentes so willed to be solde, by the executors of any such testator, which shall make such wil. 21. H. 8. 4.

Part of the executors may sell the land deuised to be sold.

4 ¶ In a writ of debt brought against diuers executors, they shal not fourche by Essoine before apparance nor after, so that they shall haue but one Essoine, as their testator should haue had. And the executor or executors, which doe first appeare at the grande distresse returned, shal answere the plaintife, and if iudgement passe for ỹ plaintife, the iudgement and execution shall be against them which haue pleaded, and al the residue named in the writ of the goods of ỹ testator, as if they had al assented to pleade. 9. Ed. 3. 5.

Fourcher by Essoine.

The executor which first appeareth shall answere.

1 How executors shall recouer rents due in the time of their testator, S. Rentes. 1.

2 That the fathers executors be boūd to satisfie the daughter of ayde receiued, S. Aide &c. 1.

3 That executors may maintaine a writ of Idemptitate nominis, S. Shirifes 23.

4 That Ordinaries shall answer as executors as far as the goods wil extend, S. Ordinarie. 1.

5 That the money or profit of lands willed to be sold, shal not be taken as any of the goods of the testator, S. Probat, &c. 8.

6 VVhat executors or others shall paye to the ordinarie for the probate of testaments, S. Probat. 1. 2. 3.

7 VVhere the heire being charged, shal haue remedie against his Auncestors executors, S. accompt, &c. 27.

8 VVhere the executors of the King or Queene of this realme, & where the heire shall haue the specialties not paid &c. S. Accomptes to the Queene. 2.

Exemplification of the Queenes letters patentes.

EVery patentee, his heires, successors, executors and assignes, and euery other person hauing by, from or vnder his or their title, any estate or interest of, in, or to landes, tenements, hereditaments, or other thing whatsoeuer to such patētee heretofore graunted by any letters Patentes by any King or Queene of this Realme at any time sithence 4. Februar. An. 27. Hen. 8. or hereafter to be graunted by ỹ Queenes Maiestie, her heires or successors, shall and may at al times in ỹ Queenes Courts &c. & els where, make & conuay to and for himselfe such claime or title by way of declaration, plaint, barre, auowrie, replication or other pleading whatsoeuer, as well against the Queene &c. and euery other person for or concerning the landes, hereditaments, or other thinges contained in such letters patentes, or for, or concerning any part thereof, by shewing forth an Exemplification or Constat vnder ỹ great Seale of England, of the inrolement of the same letters patentes, or of so much thereof as may serue to, or for such title, claime, or matter (the same letters Patentes then remaining in force not lawfully surrendred nor cancelled) for & concerning so much, and such part of such land &c. whereunto such title or claime shalbe made, as if the same letters Patentes were pleaded and shewed forth. 13. El. 6. 3. Ed. 6. 4

Exigent and Outlawrie.

Exigent in trespasse contra pacem.

NO Exigent shalbe awarded, where a man is indicted of trespasse (except it be against the peace. 18. E. 3. 5.

No pardon of outlawry without agreement with the plaintife.

2 ¶ Where the plaintife doth recouer damages, and he against whom the damages be recouered is outlawed at the Queenes suite, no charter of pardon shalbe graunted of this outlawry (except the Chauncelor of England be certified that ỹ plaintife is agreed to the same) all for his damages. 5. Ed. 3. 12.

No pardon of outlawry before the party doth yeeld himselfe to prison.

3 ¶ Where a man is outlawed by proces before he doth appeare, no charter of pardon shalbe graunted, except the Chancellor be certified that he which is outlawed hath yelded himselfe to prison before the Iustices of the court from whence the Exigent was awarded, that is, if from the Kinges Bench, then he shall render himselfe to the same court, if from the common Pleas, then he shall render himselfe thither, and if from Iustices assigned to heare and determine, sitting the same Iustices, he shall yeelde himselfe before them, and if they be risen, then he shall yeeld himselfe in the Kinges Bench before the Iustices, and the record and proces shalbe remitted before them by writ. And the Iustices before whom they shall yeeld themselues, shal cause the plaintife to be warned to be at the

taine day before them, at which day if the warning be duely witnessed or certified, and the plaintife doe appeare vpon the same warning, then they shal pleade vpon ỹ first originall writte, as though no Outlawrie had bene pronounced, & if the plaintife come not, he that is outlawed shalbe deliuered by vertue of his charter. 5. Ed. 3. 12.

Outlawrie defeated by imprisonment.

4 ¶ If any man will defeate an outlawrie pronounced against him, by reason of imprisonment certified by the Sherife or others which haue no record, he shall yeelde himselfe to prison, and then the Iustices of the Kinges Bench shall cause the partie to be warned at whose suite the outlawrie was pronounced, to be before them at a certain day, at which day if ỹ partie wil auerre, ỹ the said certificat is untrue, his auerment shalbe receiued, And in like maner shall the Queenes Sericant or Atturney, or any other that will sue for the Queene, be receiued to haue such auerment against such certificat, where the outlawrie is pronounced at the Queenes suit. 5. Ed. 3. 13.

Proclamatiõs awarded into a forreine Countie.

5 ¶ If, and where a writ of Exigent shalbe awarded at the suit of the Queene, or any other plaintife in any accion personal against any person, called of any Shire or Citie, being a Shire corporat of it selfe, or elles late of any such Shire or Citie, other then into such Shire or Citie, whereunto such exigent shalbe awarded to be called according to the lawe, and also in euery writ of exigent in any accion personall, whereof ỹ proces or exigent shalbe directed into London or Middlesex, the defendant being called late of London, or late of Middlesex, and at the time of the Exigent awarded, not dwelling in London nor in Middlesex, or els that the said defendant or defendants in the same Exigent dwell in any other Shire or place, then where the Queenes writ runneth, then the Iustices before whom any such Exigent is to be awarded, in all accions where the Exigent shal not be directed into London nor Midd. shal award a writ of proclamation to be directed to the Sherife of the same Countie, where such appeare by the vsing of such accion that the partie defendant is or lately was dwelling, if the Queenes writ there be currant, or els to the next Shire adioyning to ỹ Countie or Counties or other places whereof the partie is called or lately supposed by the said Exigent to haue his being, where the Queenes writ so runneth not, and in euery accion whereof the Exigent shalbe directed into London or Midd. and the defendant in the same called late of London or Midd. at the time of ỹ Exigent awarded not dwelling in Lond. or Midd. then the writ of proclamation shalbe directed vnto the Sherife of the Shire where the defendant at the time of the Exigent so awarded shall

Proclamatiõs where the partie is dwelling in a Countie Palantine.

ded shall haue his dwelling, or in case where the Queenes writ runneth not, vnto ỹ next shire thereunto adioyning, the which said writ of Proclamation shall containe the effect of the same action, and the Shirife of the Countie to whome any such writte of Proclamation shalbe directed, shall make three Proclamations within his Countie at three seuerall dayes, vz. two in the full Shire Court of the same Countie, & ỹ third at the generall Sessions in those parties, where the partie defendant is supposed to be dwelling, or in the parties of the Countie next adioyning to the Countie or Counties where the Queenes writ runneth not, that the partie defendant yeeld him selfe to the Sherife of the forain Countie, to whom any such Exigent in any accion personall is awarded, so that the Shirife of such forain Countie may vpon his yeelding, haue his body before the Justices, before whom any such Exigent is awarded at the day of ỹ same Exigent compriſed, there to answere to the plaintife in the same according to the law. And euery such writ of Proclamation shal haue the same day of returne, as the writte of Exigent vpon such foraine actions so awarded shall haue, and euery such writ of Proclamatiõ shalbe deliuered of record to the Sherife or deputie of the Countie into the which any such writ of proclamation is to be awarded, and the Shirife of the same Countie shal duely execute ỹ same, & therof make true returne at the day of the same writte appoynted, vpon paine to forfait such amercement vnto the Q. and her heires, as by ỹ Justices before whom such exigent shalbe returnable shalbe set, and the officer in whose office such exigent is taken, shall make out ỹ said writ & writs of proclamations as shalbe awarded in any of the saide Courts, & shal take no more for the making of any such writ, and the entering of the same of record, but only vi.d. And if any outlawry be had, or promulged against any person in any action personall in any foraine Countie, & no writ of proclamation (as is aforesaid) awarded & returned, thẽ euery such outlawrie shalbe vtterly void. And al outlawries had contrary to this act shalbe auoided by Auermẽt, without suing of any writ of error. 6. H. 8. 4. S. Indictmẽt 4. 5. proces into a foreine County vpon an Indictemẽt of Felony, Treason or Trespas.

3. Proclamations.

The Proclamation shalbe deliuered to ỹ shirife of record.

Outlawrie auoyded by auerment.

Exigẽt against any person dwelling in ỹ xii. shires in Wales, or in Lãcastershire, Cheshire or Chester.

6 ¶ Whensoeuer any writ of Exigent shalbe awarded at ỹ suit of the Q. or any other person plaintife in any acciõ or suit in ỹ kings bench, or common plees, against any person dwelling in any of ỹ xii. counties in Wales or in any of ỹ counties Palantine of Lanc. Chester, or the Citie of Chester, then immediatly vpon the awarding of euery such exigent, the Justices before whom any such exigent shall be

be sued &c. haue auctho̅ritie to award one writ of proclamatiō, accor-ding to the tenor & effect of proclamations awarded vpon exigents directed out of any of the said Courts into Londō, or into any other Shires within this Realme, against any other person dwelling in any other Shire where the Queenes writ is currant, according to ẏ order and forme of the foresaid statute 6. H. 8. to be directed to such of the sherifs of any of the foresaide Counties in Wales, & of Lācaster, Chester, & of the Citie of Chester, where it shal happen the said defē-dant against whom the said accion shalbe sued, to be dwelling. (But of the writs directed to the sherife of the Countie of Lancaster, none shalbe directed to ẏ shirife of any other county next adioyning, accor-ding to ẏ foresaid statute of 6. H. 8. 5. Ed. 6. 26.) And euery such writ of proclamation shal haue the same Teste, & day of returne as ẏ Exi-gents, whereupon euery such writ of proclamation shalbe awarded shal haue, and euery sherife to whom any such writ of proclamation shalbe directed, shall make proclamation of the saide writ of procla-matiō, according to the tenor of the same, and shal make true returne of the same in such courte, and before such Iustices, as the tenour of the same writ shall require. And all outlawries pronounced or pro-mulged against any person vpon any such Exigent awarded against any person dwelling in any of ẏ said Counties, & no writ of procla-mation awarded in forme aboue saide to the sherife of the Countie, where the party defendant shall be dwelling or not returned shall be void. 1. Ed. 6. 10.

These sherifes shal haue depu-ties in the com mon place and kings bench.

7 ¶ Euery sherife of euery of ẏ said Counties of Wales & of the counties palātine of Lācaster, Chester & of ẏ City of Chester, shall haue in euery of ẏ Courts of ẏ Kings bench, & cōmon plees, one suf-ficient deputy at ẏ least, to receiue all writs directed to such sherife, for whō the same deputie or deputies shalbe appointed, in like maner & forme, & vpon like paines, as by ẏ lawes & statutes of this realm o-ther sherifes of other shires win this realme of Englād be bound to haue in either of ẏ same Courts. And al writs of proclamatiō shalbe deliuered vnto euery such deputie of Record in ẏ same courts: And also like fees shalbe paied for making euery such writ of proclamati-on, and for ẏ inrolling of ẏ same of record, as is before limitted in the stat. of 6. H. 8. 1. Ed. 6. 10. 5. Ed. 6. 26. 23. H. 6. 10. S. Shiriffes. 10.

The sherifes forf. for not re-turning a writ of proclamati-on.

8 ¶ If any such writ of proclamation directed to any of the she-rifes of any of the saide xii. shires in Wales, or Counties palantine or be deliuered to any of the saide sherifes or to his deputie, and the same sherife do not make true returne thereof into such court, out of

which the said writ of proclamation shalbe awarded, he shall forfaite for euery default of non returne to the Q. & I. v.li. to be recouered by A. of debt, wherein no W. &c. E. P. &c. 1. Ed. 6. 10. 5. Ed. 6. 26.

Proces against persons outlawed.

9 ¶ If any person dwelling in any of the saide Counties in Wales shall be outlawed in any suit or accion afore saide, then writs of speciall Capias vtlagatum, single Capias vtlagatum, Non molestandum, and all other proces for and against any person outlawed, shall and may be directed to the Sherife of any of the said Counties in Wales, as immediat officers of the courtes of the Kings Bench or common plees in that behalfe. And euery such writs may be deliuered of record to the deputie of such of the said Sherifes, to whom any such writ or proces shalbe directed, and euery such Sherife shal make execution, and returne of euery such writ or proces to him directed vpon paine of forf. to the Queene and her heires such amerciament, as by the discretion of the Justices before whom such writs shalbe returnable shalbe set. 1. Ed. 6. 10.

Proces directed to ỹ Chauncellor of the Duchy.

10 ¶ If any person dwelling in the Countie Palentine of Lancaster, shalbe outlawed in any such suit or accion, as is afore said, all writs of speciall Capias vtlagatum, single Capias vtlagatum, Non molestandum, and all other Proces for, or against any person so outlawed, shall and may be directed to the Chauncellor of ỹ Duchy of Lancaster, who shall make like writs and proces thereupon and of like effect, sealed with the seale of the said Countie Palantine of Lancaster, to be directed to the Sherife of the saide Countie Palantine for ỹ time being, as it hath byn vsed in such cases. 5. Ed. 6.

11 ¶ But these two statutes nor any thing in them contained shall extend, or be preiudiciall to any Lord Marcher in Wales, nor to any of their heires, nor to the said xii. Counties of Wales, nor to the said Counties Palantine of Lancaster, Chester, or of the Citie of Chester, concerning such Liberties, Franchises or Priuiledges as belong to any of them, nor to any Ministers or Officers of any of them, in other maner then by the true meaning of these actes is declared. 1. Ed. 6. 10. 5. Ed. 6. 26.

Exigent vpon the statute of Liueries.

12 ¶ No Exigent shalbe awarded by the Justices within the Counties Palantine of Lancaster or Chester, or the Bishoprick of Durhã, against any person vpõ any informatiõ, suite, or proces, to be made by force of ỹ statute prouided 8. Ed. 4. against giuing of liueries or Badges and retaining. And if any Exigẽt be awarded, & outlawrie thereupon pronounced, then the same shalbe voide, without any suit by writ of Error or otherwise. 8. Ed. 4. 2.

1 That an Exigent ſhall not be awarded againſt the acceſſarie, vntill the principall be attainted. S. Appeales. 3.

2 That where an Exigent is to be awarded, there ſhalbe addicion to the defendants name. S. Addicion. 1.

3 That proces of Outlawrie awarded againſt offendors in Treaſon beyng out of this Realme, ſhalbe good. S. Treaſon. 11.

4 Where one that is ſuppoſed to be outlawed, ſhall auoyde the ſeyſure of his lands & goods, by entring into band to the Sherif &c. to anſwere the Queene &c. S. Sherifes. 23.

5 That the indictee ſhal forf. his Chattels by Exigent againſt him awarded. S. Indict. 5.

6 Where an Exigent ſhalbe awarded againſt an Accomptant. S. Accompt. 2.

Extorcion. Exaccion.

Officers.

IF any Sherife, Coroner, or other Officer of the Queenes, doe take any thing to doe his Office, he ſhall render double to the partie. Weſt. 1. 3. Ed. 1. 26.

Seriant, Crier Marſhall.

2 If the Serieant, Crier, or Marſhal of any Iuſtice, do wrongfully take money of any which doeth recouer lande, obtayne his ſuite, leuie a fine or proſecute any ſuite touching any plea of the Crowne, hee ſhall bee puniſhed at the Queenes pleaſure, and yeelde treble dammages to the partie greeued. And if hee be Serieant of fee, his Office ſhall be ſeyſed into the Queenes handes. Weſt. 1. 3. Ed. 1. 29.

Sheriffs.

3 For Extorcion in the Sherife, Bailife &c. for arreſting or letting to bayle, making of panels, or graunting of Copies. S. Sherife. 6. 7. 8.

Auditors.

4 For Ex. by Auditors, or their Clerkes. S. Auditors &c. 2.

Receiuors.

5 For Ex. by Receiuors or their deputies. S. Auditors. 3.

Diſpenſatiõs.

6 For Ex. by them which make diſpenſations, faculties, licences, or other ſuch Inſtruments. S. Diſpenſations. 1.

Spirituall Iudges.

7 For Ex. by them which haue ſpiritual Iuriſdictiõ, or any ſubſtitute or miniſter of theirs for Citations. S. Citation. 3.

Clerke of the Signet.

8 For Ex. by the Clerke of the Signet or Priuie ſeale. S. Clerke of the Signet. 1.

Wardens of ſelowſhipps.

9 For Ex. of Maſters, Wardens of Fellowſhippes or Crafts, vpon any apprentice, or other whoſe prentiſhippe is expired. S. Corporations 4.

Coroner.

10 For Ex. by any Coroner. S. Coroner. 16.

Muſter maſters.

11 For Ex. by thoſe which haue commiſſions to leuy Muſters, or make

make men ſerue in the warre. S. Captaines &c. 13.

Clerks of the Eſchequer. 12 For Ex. by Clerkes of the Eſchequer, of any Biſhop or other, that hath the receipt of Tenths. S. Eſchequer. 2.

Wales. 13 For Ex. in Wales without the Commiſſioners conſent. S. Wales. 104.

Wales. 14 For Ex. vpó them which trauaile through Forreſts in Wales. S. Wales. 112.

Eſchetors. 15 For Ex. by Eſchetors, finding Offices of landes. S. Eſchetors. 3. 9.

Cuſtos breuium 16 For Ex. in the chief Clerke of the Common place, for the entring of the concord of any fine. S. Chirographer. 2.

Chirographer. 17 For Ex. in the Chirographer of the common place, his deputie, or Lieutenant. S. Chirographer. 1.

Admirall. 18 For Ex. by the Admirall, or any Officer of the Admiralie, of any Marchant or Fiſherman for licence &c. S. Fiſh. 2.

Wardes. 19 For Ex. by the Officers of the Court of VVardes & Liueries. S. VVardes. 28.

Officers of courts. 20 For Ex. by the Officers of any Court which make any writ of Proclamation, into a foreine Countie. S. Exigent. 5. 9.

Marſhall. 21 For Ex. in the Marſhall or any of his Officers. S. Marſhall.

Officers of boroughes. 22 For Ex. taken by the head Officers of any Borough of Marchants for Scauage and Sewage. S. Marchants. 2.

Ordinaries. 23 In what ſort Ordinaries ſhal be indicted of Extorcion or oppreſſion. S. Ordinarie. 2.

Ordinaries. 24 For Ex. by Ordinaries for prouing of willes, or committing of adminiſtration. S. Probate of Teſtament. 12.

Norwich. 25 For Ex. in the Maior, Recorder, Stewarde, or Iuſtice of peace in Norwich for admitting any perſon to occupy the arts of making Hattes, Couerlets, or Dornikes. S. Hattes. 3. Couerlets. 5.

Recognisance. 26 For Ex. for taking, writing, inrolling, or certifying a Recognisance in nature of a ſtatute Staple. S. Statutes. 13.

Clerke of the market. 27 For Ex. by Clerkes of the market. S. Clerke of the market. 1.

Firſt fruites. 28 For Ex. in taking money for Obligations or acquitances, for firſt Fruites. S. Eccleſiaſticall perſons. 25.

Faires and Markets.

No man ſhall keepe a faire longer then he ought. THey which haue Faires by Charter or otherwiſe, ſhall holde them no longer then they ought to do, vpon payne of ſeiſure of the ſame to the Queene, vntill they haue made fine vnto her for the ſayd offence. And euery owner of a Faire, ſhall proclayme at the be-

ginning

ginning thereof howe long it shall last, and after the sayd time euery Marchant shall shut vp his Booth, and stall, and if any marchant doe sell any ware or marchandize at the sayde faire, after the same be ended, he shal forfaite the double value of that which he hath sold, to the K. 31.2.Ed.3.15.5.Ed.3.5.

2 ¶ If any faires or markets be kept vpon good Friday, Corpus Christi day, Ascension day, all Saintes day, the day of the Assumption of our Lady, Whitsonday, Trinitie sonday, or other sonday (the foure Sondayes in haruest excepted) & any goods or marchandize in them be shewed (necessary vitaile only excepted) the owners shal forfaite all their goods shewed, to the Lorde of the libertie or franchise where &c. But they which haue no power to keepe faire or market but vpon such dayes, may keepe it within iii. dayes before or after any of the sayde feastes, after Proclamation first made what day the faire shalbe holden. 27.H.6.5. Certaine dates wherein faires and markets may not be kept.

3 ¶ If any Steward, Understewarde, Bailife, or other Officer or minister of any Court of Pipowders, pertayning to a faire, will hold plea vpon an accion, at the suite of any person, vnlesse the pl. or his Attorney doe in presence of the defendant sweare vpon the holy Euangelistes vpon his declaration, that the contract or other facte contayned in the declaration, was made or committed within the tyme, Jurisdiction, and boundes of the same faire, he shall forfayte x.s. to the Quene, and him that will sue by A. of debt, for if the pl. refuse the foresayd othe, the def. ought to be dismissed out of the same Court, and the pl. shal take his remedie at the common law &c. But though the pl. do affirme the same, yet the def. shal not be concluded, but shall answere and pleade to the accion, or in abatement of the playnt, and profer an issue, that the same contract, trespasse, or other fact, was not committed within the time of the faire, or iurisdiction of the same, but els where &c. But this statute shall not preiudice the Bishop of Durham or his successors, within the liberties of the sayd Bishoppricke. 17.Ed.4.2.1.R.3.6. In euery court of Pipowders the pl. shalbe sworne &c.

4 ¶ If the owner, Gouernor, farmer, stewarde, bailife, or chiefe keeper of any faire, or market ouert, where horses, mares, geldings, and coltes haue bene and shall be vsed to be solde, doe not yerely appoynt one speciall open place, within the Towne, place, field, or circuite where horses, mares, geldings or colts shalbe solde, & also one sufficient person or more to take tolle, & to cõtinue in the same place, from x. of the clocke in the forenoone, vntil the sunne be set dayly, during the cõtinuãce of the sayd faire, he shal forf. for euery defaut xl.s. A place appointed for the horse faire. Tolle gathered

to

to the Q.& I. to be recouered before the Iustices of peace, or by A.I. &c. wherein no W.&c. E.P.&c. 2.& 3.P.& M.7.

When, where, and of whome, tolle for horses shalbe taken.

5 ¶ The Tolle gatherer of euery Faire or Market, shal take his lawful Tolle for euery horse, mare, gelding, & colt sold, exchanged, or put away in the said faire &c. & at the open place appointed for the sale of horses, betwixt the howers of x. in the forenoone, & the sunne set, if it be tendered, & at no other time or place, and shall haue before him the parties to the bargaine, at the taking of the Tolle, & also the horse &c. sold, and shal write the names, surnames, & dwelling places of the parties, and the colour, and one speciall marke of the horse, or else he shal forfaite for euery default xl.s. to the Q.& I. to be recouered before the Iustices of peace, or by A.I. &c. wherein no W.&c. P.&c. For the sale of any stolen horse &c. in a faire or market, shal not take awaye the propertie from the owner thereof, except the same horse be openly ridden, led, walked, driuen, or kept standing by the space of one howr at the least, betweene x. of the clocke in the morning, and the sunne set, in the open place of the Faire, where horses are commonly vsed to be solde, and not in any house, yard, backside, or other secret place, and vnlesse all the parties to the bargayne be present in the sayd Faire &c. shall come together, and bring the horse so sold, to the open place appointed for the Tolle taker, or booke keeper, and there enter their names & dwelling places, & the colour & one speciall marke of the horse, & pay the Tolle for the same, if it be paiable in that faire, or els the buyer to giue a peny for entrie, for where Tolle is not due by reason of the libertie of any Faire or market, the keeper of the booke shal not exact aboue a peny for a contract. And if any horse, mare, gelding or colte, theeuishly stolen, be taken away, be solde, giuen, exchanged, or put away in any Faire or market, and not vsed in all poyntes, as is aforesayde, then the owner thereof may take againe the same, or haue an action of detinue or replevin for the same horse, &c. 2.& 3.P.& M.7.

The vsing of a stollen horse to take awaye the owners propertie.

A note of all horses solde in a faire.

6 ¶ The Tolle gatherer or keeper of the booke, shall within one day next after euery faire or market ended, bring & deliuer his booke to the owner, Steward, bailife, or chiefe gouernour of the faire or market, who shal cause a note to be made, of the nomber of all horses &c. sold at the said faire, & shal subscribe his name or set his marke thereto. And who so maketh default, shal forf. for euery offence xl.s. to the Q. & I. to be recouered before the Iustices of peace, or by A.I. &c. wherein no W.&c. E.P.&c. and also shal answere the partie which is grieued by his negligence in euery behalfe. 2.& 3.P.& M.7.

7 ¶ S. Sect.

7 ¶S.Statut.de Mercatoribus.13.Ed.1. The Queene shall pro-
vide a seale for fayres, & the same shall be sent vnto euery faire vnder
the Queenes seale, by a Clerke sworne, or by the keeper of the faire. A seale for euery faire.

8 ¶S.Statute Winchester.13.Ed.1.6. Faires nor Markets shal
be kept in the Church yardes, for the honour of the Church. Churchyardes.

9 ¶Euery free man, and Citizen of the Citie of London, may
leade, cary, or go with his victual, ware, or marchandize whatsoeuer
it be, to any faire or market within England: Any statute or ordinãce
made or to be made within London to the cõtrary notwithstãding.
And the said ordinance &c. shalbe voyd, & no person shalbe hurt in lo-
sing of his libertie by annulling of, or not obeying the same. And if
any person doeth cause an other to be preiudiced by the same, he shall
forfeit to the Q. & I.r.li. to be recouered by A. of debt.3.H.7.5. Londoners may cary their wares to any faire or market

1 Who may buy cattell onely in the Faire and market, and who
else where. S. Cattell, 2.

2 That Lords of faires & markets, shal appoint ii. or iii. to search
and seale Lether. S. Lether, 25.

False Iudgement.

NOne (but the Queen) shal hold plea in his Court, of false iudge-
ment giuen in the Court of his tenants: for such pleas do specia-
lly belong to the Queenes Crowne & dignitie. Marlb.52.H.3.20.

Farmes.

If any person doe take any seuerall farmes more then one, of any
manors, lands, tenements, parsonages or tithes within the Isle of
Wight, whereof the farme of them altogether shal exceed the summe
of .x. markes yerely, the lessee shall forfaite to the Queene for euery
such taking x. pound. 4.H.7.16. Farmes in the Isle of Wight.

2 ¶Whosoeuer doth receyue or take in farme, for terme of life,
yeres, or at will, by Indenture, Copy of court Rolle, or otherwise, a-
ny mese houses, or tenements of husbandry, whereunto any lands are
belonging, in Towne, village, hamlet, or tithing within this realme,
aboue the nomber of ii. such holdes or tenements, or hath or occupi-
eth any such holdes so newly taken to the nomber of ii. except he be
dwelling within the same parishes where such holdes be, he shal forf.
to the Q. & I. for euery weeke that he shall haue, occupy or take any
profites of such holds contrary to this Act iii.s.iiii.d. to be recouered
within one yeere next after such offence cõmitted, by A.I. &c. where-
vnto W. &c. E.VI. &c. 25.H.8.13. No man shall take aboue two farmes.

1 When

1 When landes seyſed into the Queenes handes vpon an Ex-
queſt taken before an Eſchetor, may be let to farme, and to whom
S. Patents. 13.

2 That the Sherife ſhall not let to farme his Countie, his bay-
wickes, hundreds, nor wapentakes. S. Sherife. 5.

3 That Eccleſiaſticall perſons may not take any farmes. S. Eccle-
aſticall. 14. 16.

Felonie.

Conueying horſes into Scotland.

IT is felony by ſtatute, to ſell, exchange or deliuer within Scot-
or the batable ground betwene England and Scotland, to the
of any Scottiſhman, any horſe, mare or gelding, or to ſell, exch-
or deliuer in England, Wales, Berwicke, or the Marches of
or in the ſayd batable ground, to the intent to be cōueyed into
land, any horſe, mare or gelding, without the Queenes licence
her great ſeale. And in like ſort it is felony to buy the ſame.
ſhall be lawfull to euery of the Queenes ſubiectes inhabiting
marches againſt Scotland, to arreſt any Scottiſhman con-
ſuch horſe &c. And he ſhall haue one moitie of the price of th
and the Q. the other. 23. H. 8. 16. 1. El. 7. S. Horſes. 14.

Tranſporting of ſheepe.

2 And the ſecond time to bring, ſende, deliuer or recei
procure to be brought, ſent, deliuered, or receiued into a ſhip
thome, any ſheepe being aliue, to be conueied out of the Quee
minions. But there ſhalbe no corruption of blood nor forf. of
dower by reaſon of this Felony. 8. El. 3. S. Sheepe. 1. 2.

Enlarging of priſoners.

3 And to conſpire, deuiſe, inuent, or go about vnlawfully
liciouſly to enlarge or ſet at libertie any perſon committed to
gard, or cuſtodie by the Queenes ſpeciall commandement,
indicted of Treaſon touching to Queenes perſon, & the ſame
racie &c. by words, writing, or other act, manifeſtly to ſet forth
clare. 14. El. 2. to endure during the Queenes life. S. Priſons. 8.

Taking or deſtroying the Queenes caſtels.

4 And vnlawfully to conſpire, compaſſe, imagine,
deuiſe to take or keepe from the Queene any of her Caſtels,
fortreſſes, or holdes, or to race, burne, or deſtroy any of them,
part of them, hauing munition or ordinance of the Queenes,
poynted to be garded with ſouldiors for defence thereof, with
the Queenes dominions, or the marches of the ſame, and the
conſpiracie &c. aduiſedly by any act, words, or writing to declare
any of the malicious & rebellious intents aforeſayd, and it is
to be ayding, counſailing, comforting, or abbetting to any ſuch
ſpiracie, knowing thereof. 14. El. 1. S. Caſtels. 1.

5

5 ¶ And for a Vagabond of the age of xviii. yeres or aboue, which hauing receyued his punishment, or iudgement giuen of whipping & burning thoughe the gristle of the right eare, doeth after lx. dayes after the said marking, fall againe to a rogish life. And for a vagabõd which vpõ his second conuiction is taken into seruice, & from thence departeth within two yeres against the wil of him which tooke him into seruice. And for a vagabonde in the seconde degree conuicted, which shal after a third, fourth, or oftener time be indicted & conuicted of a rogish life. But there shall be no corruption of blood by any thinder by these felonies, neither shal any person be accessarie to any felony made by these stat. 14. El. 5. 18. El. 3. S. Vagabonds. 6. Vagabonds.

6 ¶ And to practise, vse, or exercise any Inuocation, or Coniuration of euill and wicked spirits for any intent, or to be ayding or counselling to any such offendor. But there shalbe no corruptiõ of blood, or forfaite of lande or dower, by reason of this felony. 5. El. 16. S. Coniuration. 1. Coniuration.

7 ¶ And to exercise witchcraft, enchantment, charme or Sorcerie whereby any person shalbe killed or destroyed, or to be ayding or assisting to any such offendor. But there shalbe no corruption of blood or forf. of land or dower &c. 5. El. 16. S. Coniuration. 2. Witchcraft.

8 ¶ And the second time to practise witchcraft, enchauntment, charme or sorcerie, wherby any person shalbe consumed, or lamed in any part or member, or any of his goods or cattels destroyed or impaired, being once of the like offence conuicted before, or to be counselling or aiding to such offendor: But no corruption of blood, or forfeite of land or dower &c. 5. El. 16. S. Coniuration. 3. Enchauntmẽt, Sorcery.

9 ¶ And to commit Buggery with mankind or beast. 25. H. 8. 6. Buggerie.

El. 17.

10 ¶ And for any seruant (other then Apprentice) beyng of the age of xviii. yeres to go away with any mony, Jewels, goods, or cattels, or any part thereof, of his maisters or mistresses, of the value of xl. shilling, deliuered vnto him to keepe by his master &c. to the intent to steale or defraude his master or mistresse thereof, or beyng in seruice with his said master, to imbesill, or to conuert to his own vse, the said goods &c. of the said value, without his masters commaundement, to the intent to steale the same. 21. H. 8. 7. 5. El. 10. Seruants imbesilling their maisters goods

11 ¶ And for a seruant imbesilling his masters goods after his departure, which doth not appeare in the Kings bench to answere thereof at such time, as by writte directed, and Proclamation made, he shalbe demaunded. 33. H. 6. 1. Seruantes imbesilling their maisters goods after their death.

Egyptians. 12 ¶ And for any person of the age of xiiii. yeeres or above, ca-
ling himselfe an Egyptian, or beyng in company with those which
cal themselues Egyptians, or disguising himselfe in apparel, speach,
or otherwise, like vnto them, & so to continue at one or seueral times
within England or Wales, by the space of a moneth. 1. & 2. P. & M.
4. 5. El. 20. S. Egyptians. 2.

Conspiracie to destroy the Queene or any Lord. 13 ¶ And for any man being the Queenes seruant sworne, or
whose name is in the checke Roule of her housholde, seruing in any
office or roumth vnder the estate of a Lord, to confederate, imagine,
compasse or cõspire with an other, to destroy or murder the Queene
or any Lorde of this Realme, or any other sworne to the Queenes
counsell, or the Steward, Treasorer, or Cõptroller of the Queenes
house. 3. H. 7. 13. S. Queene. 17. that the compassing of the Queenes
death or bodily harme tending to death, and by writing, speach, or
declaring the same, is high Treason.

Rape. 14 ¶ And to rauish any woman, where shee doeth not consent
before nor after. And to rauish any woman with force, though her
consent after. West. 2. 13. Ed. 1. 33. And vnlawfully and carnally
knowe and abuse any woman childe, vnder the age of x. yeeres.
El. 6. S. Rape. 1. 2.

Breaking prison. 15 ¶ And for any person to breake prison beyng therein for fe-
lony. 1. Ed. 2.

Taking a woman against her will. 16 ¶ And to take any mayde, widowe, or wife, hauing lands or
goods, or being heire apparant to her auncestor, against her will
lawfully, and to receiue any so taken knowing therof, and to pro-
cure and abett the same. 3. H. 7. 2. S. Women. 9.

To make a prisoner become approuer. 17 ¶ And for a Gaoler, keper, or vnderkeeper of prison, to make
any prisoner in his ward to become approuer against his will by
great dures of imprisonment, & by payne. 14. Ed. 3. 10. S. Prison.

Imbeseling of records. 18 ¶ And for any Clerke or other person to steale, take away,
withdraw, or willingly auoyd any record or parcell of record, writ,
retourne, panell, proces, or warrant of attorney in the Chancerie,
Eschequer, Kings bench, Common place, or Treasurie, whereby
Judgement shalbe reuersed, or to be a Counselor, procuror, or attorney
for thereunto. And halfe the Enquest which shal try the Felonie to
be of the same Coure, and halfe of other persons. 8. H. 6. 12.

Cutting of tongues, putting out of eies 19 ¶ And of malice pretended, to cut out the tongue, or put out
the eyes of any of the Queenes subiects. 5. H. 4. 5.

Imbeseling of a hauke. 20 ¶ And for any person finding a Fawcon, Laner, Lanret,
Tercelet, or other hauke, which doth not bring the same to the

of the same Countie, that he may make Proclamation in al the good Townes of the Shire, to the intent ỹ owner may haue knowledge thereof, but doth imbecil the hauke. 37. Ed. 3. 19. S. Haukes. 2.

21 ¶ And to practise the arte of multiplying of gold or siluer. 5. Hen. 4. 4. Multiplicatiõ.

22 ¶ And for to cause Masons to confederat themselues in Chapters, and assemblies whereby they so doe. 3. Hen. 6. 1. Masons.

23 ¶ And for him which is entred of record a Souldiour, and hath taken part of the Queenes wages, or for a Mariner or a gunner, taking prest wages to serue the Queene on the sea, not to come into, or to depart from his Captaine without licence. 18. Hen. 6. 19. 2. Ed. 6. 2. 5. Eliz. 5. 4. & 5. P. & M. 3. S. Captaines. 3. Souldiour.

24 ¶ And for any person to hunt vnlawfully in the night, in any Forest, Parke, or warren, or with painted faces, visours, or other disguisings to the intent he would not be knowen, and being thereof examined by one of the Queenes Counsell, or a Justice of peace of the same Shire, to conceale the offence or any offendor. And for any person which should be arrested, to disobey, or make rescue to any person hauing warrant to arrest such hunter, so that execution of the same warrant thereby be not had. 1. M. 7. 7. S. Iustice of peace. 16. Hunting in the night or with disguisings.

25 ¶ And for any Purueior, Taker, or other, to make purueiance for the Queenes house or wardrope, without warrant, and to carry any thing away against the consent of the owner. 28. Ed. 1. 2. And for any Purueiour after Commission to him directed, to buy or prouide, or to take any carriage in other maner then is comprised in his Commission. 36. Ed. 3. 2. And for any purueiour, not to make his prouision by the testimony and appraisement of the Constables and foure honest men of the towne, where he maketh his prices, and not to deliuer tales or Indentures sealed with his seale, testifying the same. 5. Ed. 3. 2. 25. Ed. 3. 1. and for any purueyor to take more victuailes or cariages for ỹ Queenes house, or more great horses then is by such deliuered to the same house. 36. Ed. 3. 4. And for any purueior to take more sheepe before sheare time then be sufficient for the Queenes house, and to carry them to his owne house, & sheare them. 25. Ed. 3. 15. S. Purueiours. 4. 9. 17. 18. 19. Purueiours.

26 ¶ And extsoues to commit any of the offences prohibited by the statute prouided. 5. El. against the forging of euidences and writings, being once before conuicted, or condemned of any of the said offences by any of the wayes or meanes limitted by the said statute, but there shalbe no corruption of bloud, nor forfait of land or dower by Forging of euidence.

reason of this felony. 5. Eliz. 14. S. Forging, &c. 4.

Vnlawfull assemblie.

27 ¶ And for any persons to the number of xii. or aboue being assembled together, to intend, goe about, practice, or put in vre with force of armes vnlawfully, &c. to chaunge any lawes in force established for religion by Parliament, or any other lawes, or statutes, or to do any other act prohibited by the statute prouided against vnlawfull and rebellious assemblies, &c. And being commaunded or required by the sherife or Iustice of peace, &c. Maior, Bailife, &c. by proclamation in ỹ Queenes name, to retire to their houses, &c. to remaine together by the space of an houre after such commandement by proclamation, or after in forcible and riotous maner to attempt, doe, or put in vre, any of the things aforesaid. 1. M. 12. 1. Eliz. 16.

Raising of vnlawfull assemblie.

28 ¶ And for any person vnlawfully &c. by ringing of any bell, sounding of any Trumpet, Dromme, Horne or other instrument, or by fiering of any Beacon, malicious speaking of any words, making any outcrie, setting vp, or casting any bill or writing, or by any other deed or act, to rayse any persons to the number of xii. or aboue, with intent the same persons should doe, commit, or put in vre any of the actes aforesaid prohibited, &c. If the said persons so raised after request or commandement giuen as aforesaid, shall continue together as aforesaid, or vnlawfully commit any of the thinges aforesaid. 1. M. 12. 1. Eliz. 16.

Relieuing persons vnlawfully assembled.

29 ¶ And for the wife or seruant of any of the same persons assembled, and for any other person whatsoeuer, willingly to bring, deliuer, or cõuey any money, harnesse, artillery, weapon, meat, bread, drink, or other vitaile, to any person or persons so being assembled, during such time as they shalbe together. 1. M. 12. 1. El. 16.

xl. persons vnlawfully assembled.

30 ¶ And for any persons to ỹ number of xl. or aboue, to assemble themselues in forcible maner vnlawfully, to the intent to do or any of the foresaid things, or other felonious or rebellious actes, and to continue together by the space of iii. houres after proclamation made, at or nigh the place where they be assembled, or in some market towne next adioyning, after notice thereof to them giuen, But there shalbe no corruption of bloud by reason of any of these felonies. 1. M. 12. 1. El. 16. S. Riots. 16. 17. 18. 19. 31.

Powdike.

31 ¶ And for any person peruersly and maliciously to breake or cut downe any part of new Powdike in Marshland, in the county of Norffolke, or of the broken dike otherwise called old field dike in Marshland in the Isle of Elye, in the county of Cambridge, or any other banke being parcel of the rynde, and vttermost part of the said

country

countrey of Marshland made for the defence of the same countrey of Marshland, otherwise then in working vpon the said bankes, and dikes, for the repaire of the same. 22.H.8.11.2.& 3.P.& M.19.

32 ¶ And wilfull killing by poysoning of any person, is wilfull murder of malice prepenced. And the offendors, aydors, abbettors, procurors and counsailours shall suffer death and forfait as in other cases of wilfull murder. 1.Ed.6.12. Poysoning.

33 ¶ Immediatly after any felonies and robberies be committed, fresh suit shalbe made from towne to towne, and from countrey to countrey, and enquestes shalbe taken (if neede be) by him that is chiefe Lord of the towne, and after in hundreds, franchise, and in the county, and sometime in ii.iii.or iiii. counties, in case where felonies be committed in the marches of shires, so that offendors may be attainted & suffer punishment. And if the countrey wil not answere for the bodies of such offendors, the people dwelling in euery such countrey shal answer for the robberies done and the damages, so that the whole hundred, where the robberie shalbe done, with the franchises which be within the same hundreds, shal answer for ỹ robberies done. And if the robberie be done in ỹ diuision of two hundreds, then both the hundreds together with the franchises within ỹ precinct of them shall answere, and the countrey shal haue no longer time after ỹ robberie and felony committed (but xl.dayes. 28.Ed.3.11.) within which they must agree, for the robbery and offence, or else they shalbe answerable for the bodies of the offendors, Winchester. 13.Ed.1.1.2. Fresh suite. The countrey shal answere, if the robbers be not taken within xl.dayes.

34 ¶ All men generally shalbe ready at the commaundement, and summons of the sherifes, and at the cry of the countrey, to pursue and arrest felons, when neede shalbe, aswell within franchises as without, and they that will not, and thereof be attainted, shal make a greeuous fine to the Queene, and if default be found in the Lord of the fraunchise, the Queene shall seise the fraunchise into her handes. And if default be in the Baylife, he shalbe one yeere imprisoned, and after make a greeuous fine, and if he haue not whereof, he shall haue two yeeres imprisonment. And if the Sherife, Coroner, or any Bailife within such franchise or without, for reward or intreatie, or for any affinitie doe conceale, consent, or procure to conceale the felonies done in their liberties, or otherwise wil not attach or arrest such felons (where as they may) or otherwise will not do their offices for the fauour that they beare to such offendors, and be thereof attainted, they shalbe one yeere imprisoned and make a greeuous fine, And if they haue not whereof to make fine, they shalbe three yeeres imprisoned. Euery man shal pursue felons. Concealment or not attachment of felons.

pryſoned. Weſtm. 1. 3. Ed. 1. 9. vpon all homicides, burglaries, men
Huy and cry. ſlaine or put in great danger, huy & cry ſhalbe leuied, and euery man ſhall follow the huy & cry, and the offenders ſteppes, if it may be, and whoſoeuer doth not, & is thereupon conuicted, ſhalbe attached to appeare before the Iuſtices of gaole deliuerie. 3. Edw. 1. Officium Coronatoris.

Perſons ſuſpected of felony. 35 ¶ If any man ſuſpect ſuch lewd perſons as were in times paſt called (Roberdſmen, waſtours, or Drawlatches,) of any mans ſlaughters, felonies or robberies, be it by day or night, they ſhalbe incontinently arreſted by the Conſtable of the towne, and if it be within franchiſes, deliuered to the baylifes of the franchiſe, and if in Gildable, to the ſherifes, and kept vntill the comming downe of Iuſtices of gaole deliuerie, who ſhall proceede to the deliuerance of them. 5. Ed. 3. 13.

The puniſhment of felons refuſing lawful trial. 36 ¶ If notorious felons which be openly knowne of euil fame, will not put themſelues vpon enqueſts of felonies which any man doeth proſecute before the Iuſtices at the Queenes ſuit, they ſhalbe put in ſtrait and hard pryſon, as thoſe, which refuſe the lawe of the Realme, but this is not vnderſtanded of pryſoners, which be taken for a light ſuſpicion. Weſtm. 1. 3. Ed. 1. 12.

1 That the keeper of a foreſt, park, or warren may kil him which commeth within his charge to do hurt, & wil not yeeld. S. Foreſt. 4.

2 That he which killeth a felon, which attempteth to rob him ſhal forfait nothing. S. Forfaiture. 1.

3 That the Iuſtices may award a writte of reſtitution of ſuch goods vpon the attainder of a felon. S. Reſtitution. 1.

4 That the Queene ſhall haue felons goods, & Annum, diem, & vaſtum, in their lands. S. Prerogatiue. 16.

5 That the Iuſtices of the Kings Bench, may remaund any murderer or felon, and his indictment to be tried in the countrey. S. Remouer. 2.

6 That the goods of him which is impriſoned for felony ſhal not be ſeiſed, before he be attainted thereof. S. Sherifes. 26.

7 That an abiured perſon committing felony ſhall loſe the priuiledge of Sanctuarie. S. Sanctuarie. 9.

Fesants, Partridges.

IF any perſon do take or cauſe to be taken any feſãts or partridges by nets, ſnares or other engins, out of his owne warren, vpon the freehold of an other perſon, without the aſſent and ſpeciall licence of the

the owner or possessor of the same, he shall forfeit x. pound to the owner of the ground, and the J. to be recouered by A.B. &c. 11.H.7.17.

Fifteenes.

ALL forreins, hauing lands, or tenements, goods, or cattels within any townes at the day of the graunt of any disme, fifteene, or other taxe, although they lead away their beasts, or carry away their goods and cattels out of the same towne after the day of the said graunt, yet euery of them shalbe contributory with the inhabitants of such townes, to such disme, xv. or taxe, & the collectors of the same disme, xv. or taxe for the time being, within such townes haue power by authoritie of their office, to taxe and assesse such forreins according to the quantitie of their goods, cattels and possessions, being in the said townes at the day of the graunt of the said dismes, fifteene or taxe, & for the same summes whereto they be assessed or taxed, to distraine in euery place within the said countie, aswel before ỹ Queene be answered of the whole summes that attaine to the said townes, as after. But no man nor woman shalbe twice charged for any such beasts, goods, or cattels in any wise by occasion thereof. 9.H.4.7. Cattel chargeable to the xv. where they be the time of the same granted.

Fighting, Quareling.

IF any person shall maliciously strike any other person, whereby blood shalbe shed, in any of the Quenes houses or Palaces, or in any other house, where the Queenes maiestie, her heires, &c. shalbe at that time abyding in her royal person, or within any edifices, courts, places, gardeins, orchards, or houses within the porters ward of any of the houses aboue rehearsed, or within any gardeins, priuie walks, orchards, tiltyards, woodyards, Tennis playes, Cock fights, Bowling allies neere adioyning to any of the said houses, and being part of the same, or within two hundred foote of the standerd of any outward gate or gates of any of the said houses, commonly vsed for passage from any of the houses &c. and shalbe thereof indicted, arrained, and attainted according to the statute in that case prouided, he shall lose his right hand striken of, be imprisoned during his life, & make fine to the Queene at her pleasure, But this act, nor the paynes and forfaitures before rehearsed, shall not extend to any noble man or other person that shall strike his seruant within the said palaces or houses, or the limits of the same, with his hand or fist or any small rodde or sticke, for correction for any offence committed, nor to any of the Queenes officers that in executing his office, shall strike any Drawing of bloud within the Queenes palace.

perſon with his hand, fiſt or ſmall ſtaffe, ſticke or tipſtaffe, nor to any other perſon, that in doing ſeruice at any triumph, or any other time of ſeruice, by the Queenes, any of her counſell, or other her head officers commandement, ſhall for the executing of his ſaid ſeruice, ſtrike any perſon with his hand, fiſt, ſmall ſtaffe, or ſticke or any tipſtaffe, within the ſame palace, houſe &c. although by reaſon of ỹ ſame ſtroke or ſtrokes there happen to be any bloudſhed of ſuch perſon as ſhalbe ſo ſtriken, except the perſon ſo ſtriken die of the ſame ſtroke within one yere next after. 33. Hen. 8. 12. how the offendor in this caſe ſhal be indicted, and tried. S. Trial. 4. 5. 6.

Chiding in the Church or Churchyard.

2 ¶ If any perſon whatſoeuer, do by words onely, quarel, chide or braule in any Church or Churchyard, then it ſhalbe lawfull to the ordinarie of the place where the offence is done and proued by two lawfull witneſſes, to ſuſpend him (being a lay man,) ab ingreſſu Eccleſie, and being a Clerke, from the miniſtration of his office, ſo long as he thinketh meete, according to the fault. 5. Ed. 6. 4.

Smiting in Church or Churchyard.

3 ¶ Whoſoeuer ſhall ſmite, or lay violent hands vpon another in any Church or Churchyard, ſhalbe deemed ipſo facto excommunicat, and excluded from the fellowſhip and company of Chriſtes congregation. 5. Ed. 6. 4.

Drawing or ſmiting with a weapon in a Church or Churchyard.

4 ¶ If any perſon ſhall malicioully ſtrike any perſon with any weapon, in any Church or Churchyard, or ſhal draw any weapon in any Church or Churchyard, to the intent to ſtrike another with the ſame: then euery perſon ſo offending, and thereof being conuicted by verdict of xii. men or by his own confeſſion, or by two lawful witneſſes before the Juſtices of aſſiſe, Juſtices of oyer and determiner, or Juſtices of peace in their ſeſſions, ſhalbe adiudged by the ſame Juſtices, before whom ſuch perſon ſhalbe conuicted, to haue one of his eares cutte of. And if the perſon or perſons ſo offending, haue no eares, whereby they ſhould receiue ſuch punihment as is before declared, then he or they to be marked and burned in the cheeke with an hot yron, hauing the letter (F) whereby he or they may be knowen and taken for fray makers and fighters, and beſides that euery ſuch perſon to be and ſtand, ipſo facto, excommunicated as is aforeſaid. 5. & 6. Edw. 6. 4.

Aſſaults vpon them which come to the Parliament.

5 ¶ If any aſſault or fray be made vpon any Lord ſpirituall, or temporal, knight of the ſhire, Citizen, or Burgeſſe, come to the Parliament, or to the Queenes counſell by her commaundement, and there being & attending, then proclamation ſhalbe made in the moſt open place of the towne by iii. ſeuerall dayes, where the affray was made,

made, that the party that made such affray or assault, shall yeeld himselfe in the Kinges bench within a quarter of a yeere next after the proclamation made, if it be in the terme time, or otherwise at the first day of the terme following the said quarter. And if he do not, he shalbe attaynted of the said deede, and pay to the party greeued his double damages to be tared by the discretion of the Justices of the same bench, or by enquest, if it be needefull, and shall make fine and raunsome at the Queenes pleasure, And if he come and be found guiltie by enquest, by examination or otherwise of such affray or assault, then he shall pay to the partie greeued his double damages found by the enquest, or to be tared by the discretion of the said Justices, & make fine and raunsome at the Queenes pleasure. 11. Hen. 6. 11. the like punishment shal he haue which maketh assault or fray in the Parliament time vpon any meniall seruaunt of any knight of the Parliament or &c. which doeth come to the Parliament with his master. 5. Hen. 4. 6.

Fines.

AS well the parties plaintifes or demaundants, as the tenants and defendants, which wil knowledge or yeld their right or tenements to others in pleas of Warrantia charte, Couenaunt, and other like, whereupon fines are to be leuied, shall come personally before the Justices of the Common place, before the same fines be leuied, that their age, Idiocie, or other defect (if there be any) may be discerned and iudged by them, but if any man which is olde, decrepit, or impotent by any casualtie, be so oppressed or detayned, that he is not by any meanes able to come before the said Justices, Then two or one of the said Justices by the assent of the whole bench, shall goe vnto him which is so diseased, and shall receiue his cognisaunce, vpon the plea or forme of plea, which he hath in the Queenes court, whereupon the said fine ought to be leuied, and if there goe but one, he shall take with him an Abbot, a Prior, or a knight, being a man of worth and good name, and shall certifie the Justices of the common place thereof by their record, So that all thinges incident to the fine passing by him or them well examined, the same fines may be duely leuied. Carleil. 15. Ed. 2.

The consent in the fine shall come personally before the Justices.

A fine taken by dedimus potestatem.

¶ The order of the lawe will not permit a finall accord to be passed in the Queenes court, without an original writ, & that must be at the least before foure Justices of the bench, or in Eire, and not otherwise, and in presence of the parties named in the writ, which be

A fine cannot be leuied without an original writ.

A fine leuied by a woman couert.

of ful age, good memory, & out of prison, And if a woman which is couert baron, be one of the parties, then it behoueth that she be first examined before the said iiii. Justices, and if she doe not assent to the fine, it shal not be leuied, stat. de finibus. 18. Ed. 1.

A fine proclaimed.

3 ¶ After the ingrossing of euery fine to be leuied in ỹ Queenes court, before her Justices of the common pleas, of any landes, tenements or other hereditaments, the same fine shalbe openly and solempnly read and proclaymed in the same court the same terme, and in three termes then next following the same ingrossing in the same Court, at iiii. seueral dayes in euery terme, and in the same time that it is so read and proclaymed, all pleas shal cesse. 1. R. 3. 7. 4. H. 7. 24.

Who shalbe cõcluded by a fine and who not.

4 ¶ And the said proclamations so had and made, the said fine shall be a finall end, and conclude aswell priuies as straungers to the same, except women couert (other then bene parties to the said fine) and euery person then being within age of xxi. yeres, in prison, or out of this Realme, or not of whole minde at the time of the said fine leuied, nor partie to such fines. 1. R. 3. 7. 4. H. 7. 24.

Euery straungers right saued which he presently hath.

5 ¶ Sauing to euery person or persons, and to their heires (other then the parties in the said fine) such right, claime, and interest, as they haue, to, or in ỹ said lands, tenements or other hereditaments, time of such fine ingrossed, so that they pursue their title, claime or interest by way of accion or lawful entrie, within fiue yeeres next after the said proclamations had and made. 1. R. 3. 7. 4. H. 7. 24.

The right of strangers saued which shall come to them.

6 ¶ And sauing to all other persons, such accion, right, title, claime, and interest, in, or to the said lands, tenements, or other hereditaments, as first shal grow, remaine or discend, or come to them after the said fine ingrossed, and proclamation made by force of some gift in the taile, or by any other cause or matter had and made, before the said fine leuied, so that they take their accion, or pursue their said right and title according to the lawe, within fiue yeeres next after such accion, right, title, claime, or interest to them accrued, discended, remained, fallen or come, And the said persons and their heires may haue their said accion against the pernour of the profites of the said lands and tenements and other hereditaments, time of the said accion to be taken. 1. R. 3. 7. 4. H. 7. 24.

Accion maintainable against pernour of the profites.

The right of Infants, women couert, persons imprisoned, out of this land, & not of whole mind, saued.

7 ¶ And if the same persons, at ỹ time of such accion, right, title, accrued, discended, remained, or come vnto thẽ, be couert baron, or within age, in prison, or out of this land, or not of whole mind, then their actiõ, right, & title shalbe reserued, & saued to them, and to their heires, vnto ỹ time they come & be at their ful age of xxi. yeres, out of prison,

prison, within this land, vncouert, & of whole minde, so that they or their heires take their said accions, or their lawful entrie, according to their right & title, win v. yeres next after ỳ they come, & be at their full age, out of prison, win this land, vncouert, & of whole minde, & the same accions pursue, or other lawfull entrie take, according to ỳ law. But all such persons as be couert baron, not party to the fine, & euery person being win age, in prison, or out of this lande, or not of whole mind at the time of the said fines leuied, and ingrossed, hauing any right or title, or cause of accion to any of the saide landes and other hereditaments, they or their heires inheritable to the same, shall take their saide accions, or lawfull entrie according to their right & title, win v. yeres next after they come & be of full age of xxi. yeres, out of prison, vncouert, within this land, and of whole mind, and the same accions sue, or their lawfull entrie take and pursue according to the law. And if they do not take their accions & entry as is afore-said, they and euery of them, and their heires, and the heires of euery of them, shalbe cõcluded by ỳ said fines for euer in like forme as they bene, that bene parties or priuies to the said fines. 1. R. 3. 7. 4. H. 7. 24

8 ¶ Sauing to euery person & persons not party nor priuie to ỳ said fine, their exceptiõ, to auoid ỳ said fine, by that, ỳ those ỳ were parties to the fine, nor any of thẽ, nor no person nor persons to their vse, ne to the vse of any of thẽ, had nothing in the lands & tenements compriled in the said fine, at the time of the said fine leuied. 4. H. 7. 24

Exception that the parties to the fine had nothing in the land.

9 ¶ An. 1. R. 3. 7. it is enacted, that a transcript of the same fine shall be sent by the said Iust. of the common plees, to the Iust. of ass. of the county where the said lands & tenements be, they to cause the said fine to be read & proclaimed openly, & solempnly in euery their sessions of ass. to be holden the same yere, if assises do then hold, & all the pleas in ỳ meane time to cesse, Also a like transcript of the same fine shalbe sent to the Iust. of peace of the county where ỳ said lãds & tenements be, they to cause open & solempne proclamation of the said fine to be made at 4. seuerall sessions of ỳ peace to be holden the same yere, The said Iustices of assises, & also Iustices of peace to certify ỳ same proclamation to the Queens Iustices of the cõmon plees, at the second day of returne of the terme then next folowing. Quere for the vse hereof.

A fine proclaimed at the generall assises & quarter sessiõs

Quere.

10 ¶ Euery fine that shalbe leuyed in any of the Queens courts of any manor lãds, tenemẽts, or other possessions after ỳ maner, vse, & forme that fines haue bene leuied before the making of these Acts, be of like force, effect, and auctho*r*itie, as fines so leuied be, or were before

Fines at the common lawe be of the same force they were

Fines may be leuied according to the cõmon law, or either of these statutes.

before the making of these Actes, and euery person shalbe at his liberty to leuie any fine after his pleasure, whether he will after the forme conteined and ordeined in, and by these Acts or any of them, or after the maner and forme beforetime vsed. 4. H. 7. 24. 1. R. 3. 7.

Proclamatiõs not made by the adiournement of any terme.

11 ¶ All fines aswel heretofore leuied, as hereafter to be leuied before the Iustices of the common plees, of any manors, landes, tenements, or other hereditaments, whereupon the proclamations haue not, or shal not by reason of adiournment of any terme by wrong be duely made, shalbe of as good force, effect and strength to all intents, constructions, & purposes, as if any terme heretofore adiourned, or that at any time hereafter shalbe so adiourned, had bene holden and kept, from the beginning to the end thereof not adiourned, and proclamations therein made, according to the forme and effect of the said statute of 4. H. 7. 1. M. 1. parl. 7.

Fines leuied before the Iustices of assise at Lancaster.

12 ¶ All fynes which shalbe leuyed before the Iustices of assises at Lancaster, or before one of them, of any landes, tenements, or other hereditaments lying within the County Palantine of Lancaster, which shalbe openly read, and proclaimed three seueral dayes in the open sessions in the presence of the Iustices of assise at Lancaster, or of one of thẽ, at the same sessions, that the same fine shalbe ingrossed, and also at the two next general sessions, that shalbe holden in the said county before the Iustices of assise of the same county, or before one of them, next after the leuying or ingrossing of such fine, at iii. seuerall dayes in either of the said two sessions, after the maner & forme, as is commonly vsed in the common place at Westminster, shalbe of like force to all intents, as fines being duely leuyed with proclamations before the Queens Iustices of her common plees be or ought to be of. 37. H. 8. 19.

Fines leuied before the hie Iustice at Chester of lands in Cheshire.

13 ¶ Fines which shalbe leuyed before the high Iustice of the County Palantine of Chester, or before the deputie or lieutenant Iustice there for the time being, of any lands, tenemẽts, or other hereditaments lying within the saide county Palantine of Chester, which shalbe openly read and proclaimed iii. seueral dayes in the open session, in the presence of the Iustice of the saide county Palantine, or before the deputie or lieutenant Iustice there, at the same sessions that the same fine shalbe ingrossed, & also at the two next general sessions that shalbe holden in the said county, next after the leuying & ingrossing of such fine at iii. seueral dayes in either of the said two sessions, after such maner & forme, as is commonly vsed in the common place at Westmin. shalbe of like force to al intents, as fines

fines being duly leuied with proclamations before the Queens Iustices of her common plees be or ought to be of. 2. Ed. 6. 28.

14 ¶ All and singuler fines aswell heretofore leuied, as hereafter to be leuied before the Iustices of the common plees, with proclamations according to the foresaid stat. made 4. H. 7. by any person or persons of full age of xxi. yeeres, of any manors, landes, tenements or other hereditaments, before the time of the same fine leuied, in any wise entailed to the person or persons so leuying the same fine, or to any the ancestor or ancestors of the same person or persõs in possession, reuersion, remainder, or in vse, shalbe immediatly after the same fine leuied, ingrossed, and proclamations made, adiudged, and taken to all intents, a sufficient barre and discharge for euer, against the same person & persons, & their heires, clayming the same lands, tenements and hereditaments, or any parcell thereof, onely by force of any such entaile, and against all other persons claiming the same, or any parcel thereof only to their vse, or to the vse of any maner of heire of the bodies of them. 32. H. 8. 36.

A fine leuyed by tenant in taile, shalbe a Barre to the heire of his body.

15 ¶ But this act shal not extend to barre the lawful entry, title, or interest of any heires or persons, giuen or accrued to any of them, in or to any manors, lands, tenements or hereditaments, by reason of any fine leuyed by any woman after the death of her husband, cõtrarie to the forme, intent and effect of the statute made 11. H. 7. 20. of any manors, landes, tenements and hereditaments, of the inheritance or purchase of the said husbande, or of any his ancestors, giuen or assigned to any such woman in dower, for terme of life, or in taile, in vse or in possession. But the same acte made 11. H. 7. shal remaine in ful strength, in euery clause therein contained, as though this act had not bene made. 32. H. 8. 36. S. Women. 1.

Fine leuied by the wife of the inheritance of her late husband.

16 ¶ Neither shal this acte extend to any fine heretofore leuyed, or hereafter to be leuyed of any Lordshippes, manors, landes, tenements or other hereditamẽts, the possessioners & owners wherof, by reason of any expresse words contained in any especial act or acts of parliamẽt made sithence 4. H. 7. be bounden or restrained from making any Alienations, discontinuaunces, or other alterations of any of the same manors, lands &c. contained in the said fine. But euery such fine shalbe of such like force and strength in the lawe, and of none other effect, then the same should haue bene, if this Act had neuer bene made. 32. H. 8. 36.

A fine leuied by him which is restrained by parliament.

17 ¶ Neither shal this act extend to any fine leuyed by any persõ of any manors, lands, tenements, or hereditamẽts before the time of

the

Fines of lands whereof the reuersion is in the Queene.

the leuying of the same fine giuen, graunted or assigned to the said person, or to any of his auncestors in the taile, by vertue of any letters patents of K.H.8. or of any of his progenitors, or by vertue of any act or acts of parliament, the reuersion whereof at the time of the same fine leuyed being in the Queene her heires, or successors. Vpon euery such fine shalbe of like force and effect as they were or should haue bene, if this act had not bene made. 32.H.8.36.

Exception that the demaundāt &c. was alwaies seised.

18 ¶ No exception, answer, or inquisition of the Country shalbe admitted by any persons being parties to any fines or by their heires to auoid & defeat such fines, in alledging ỳ before the fine leuied, at leuying thereof, & since the fine leuied the demaundants or plaintiffs or their auncestors were alwaies seised of the land conteined in ỳ fine or of some parcel thereof. Stat. de Finibus. 27.Ed.1.1.

1 That writs of Couenant and all other writtes may be sued for fines, to be leuied of any ecclesiasticall profit. S. Tithes. 23.

2 The fee of the Chirographer of the common place for a fine leuyed. S. Chirog. 1.

3 That writs shall be inrouled whereupon fines shalbe leuyed. S. Chirographer. 2.

Fish and Fishers.

Taking of Salmons.

WHosoeuer taketh Salmons in any water wherein salmons be commonly caught, from the natiuitie of our Lady, vnto Saint Martens day (except in the county of Lancaster where they may be taken at all times sauing betwixt Michaelmas & Candlemas) or taketh, or distroyeth by nets or other engins yong Salmons at mil pools, or in any other places, from the midst of April, vnto ỳ feast of S. Iohn Bapt. or doth put in any waters of this realme, at any time of the yere, any nets or engins whatsoeuer, by the which the frie or breed of salmons, lāpries, or other fish may in any wise be taken or destroied, shal for the first offence haue his nets burned, for the second imprisoned a quarter of a yere, & for the third a whole yere. And so further as ỳ trespas increaseth, which punishmēts for offences in freshwaters shalbe executed by cōseruators sworne. 13.Ed.1.46. 13.R.2.19. The Iustices of peace shalbe cōseruators of this stat. in ỳ counties where they be Iustices, & they shall appoint vndercōseruators which shalbe sworne. And if any be conuict of an offence committed contrary to this stat. he shalbe imprisoned, & make fine at the Iustices discretion. And ỳ Maior of London shall haue the conseruation of this statute in the Riuers of Thames and Medway. 17. Rich.2.9.

Conseruators.

3 ¶ If the Admiral, or any officer or miniſter of the Admiralty, ſhall exact, receiue, or take by him ſelfe, his ſeruant, or deputie of any marchant or fiſherman any ſumme of money, doles or ſhares of fiſh, or any other reward, or benefite, for any licence, to paſſe this Realme into Iſland, Newfoundland, Ireland, or other places conuenient for the getting of fiſh, or for any other reſpect concerning the ſaid voyages, he ſhal forf. for the firſt offence, treble the ſumme or value of the reward ſo taken, to the Q. & I. &c. to be rec. by A. I. &c. wherein no W. &c. E. P. &c. and for the ſecond offence, ſhall loſe his office and make fine at the Queenes pleaſure. 2. Ed. 6. 6. Exactions on them which trauell for fiſh.

3 ¶ Whoſoeuer doth by any engine, cautele, wayes, or meanes whatſoeuer, take and kill any yong broode, ſpawne or frie of any fiſhe in any ſludgate, pipe, at the taile of any mil, weare, or in any ſtraits, ſtreames, brooks, Riuers ſalt or freſh, or ſhall take in any of the foreſaid places, kepper, or Shedder ſalmons or Trouts not being in ſeaſon, ſhal forf. for euery offence xx. s. the fiſh ſo taken, & the nets, engins &c. wherewith he tooke the ſame. 1. El. 17. Taking of ſpawne.

Taking of Salmons or trouts not ſeaſonable.

4 ¶ Whoſoeuer doth take & kil any pickrel not being in length x inches fiſh, or more, or any ſalmõ not being xvi. inches, or any trout not being viii. inches, or any barbel not being in length xii. inches or more, or doth fiſh with any net, Tramel, kepe, wore, hiuie, crele, or other engine or deuiſe, but onely with net or tramell, whereof euery meſhe ſhalbe ii. ynches and a halfe broad, (except angling, and ſauing for the onely taking of ſmelts, loches, minowes, bulheds, gudgeons eeles, in ſuch places where they haue bene vſed to be takẽ & killed) ſhall forfeite for euery offence twenty ſhillings, the fiſh ſo taken, and the vnlawfull nets and engins wherewith he tooke the ſame. 1. El. 17. 14. El. 11. The length of fiſh which may be taken.

Of what meſhe ech net ought to be.

5 ¶ Prouided that this ſtatute extend not to the fiſhing of the Riuer of Twede, or of any water, whereof the Queene is anſwered meerely rent or profite, nor to the owners, farmors or occupiers of the Riuers of Uſke, or wye, in the County of Monmouth, 1. El. 17. 14. El. 11. Twede, Uſke, wye.

6 ¶ Euery perſon which ought to haue conſeruation of anye riuer, ſtreame or water, or puniſhment of offences committed in any of them, hath authoritie to enquire, by the othes of xii. men or more, and to heare and determine all the offences committed contrary to the true meaning of this act, vnto his Juriſdictiõ. 1. El. 17. 14. El. 11

7 ¶ Whoſoeuer ſhall by day or night vnlawfully breake, cut downe, cut out, or deſtroy ꝑ head, or dãme of any pond, poole, moat, ſtang, Deſtroying of pooles or fiſhing therein.

stang, stewe, or seueral pit, wherein fish are or shalbe put, or stored by the owner or possessour thereof, or shall wrongfully fish in any of the said seueral pondes, pooles &c. to the intent to destroy, kill, take or steale away any of the same fish against the will of the owner or possessour of the same, not hauing lawfull auctority so to do, shall pay to the P. greeued his treble damages, suffer imprisonment iii. monethes, & then shall find sufficient suretie for his good abearing for the space of vii. yeeres after, or els shall remaine in prison vntill he hath found sufficient suretie, & it shalbe lawful for the P. greeued to sue & take his further remedie against euery such offendour, for his losse and damages before the Justices of peace, Justices of assise, Justices of oyer, &c. or els where, in any other the Queenes courts of record, and vpon satisfaction, or confession of the damages to release to the offendor, the suretishippe of good abearing at anye time within the vii. yeres. 5. El. 21. S. Iustice of peace. 34.

Packing of salmon, & the contents of the vessels.

8 ¶ Whosoeuer selleth or putteth to sale any Salmon, by Tun, barrel, halfe barrel or other vessell, before it be seene, except the Tun doe containe lxxxiiii. gallons, the barel xlii. the halfe barel xxi. gallons, well & faithfully packed, shall forf. for euery vessell so lacking measure, vi. s. viii. d. & he that doth not packe the great salmon by it self, the small fish called grilles by it self, but doth mingle the great salmon with the grilles or broken bellied salmon, shall forf. for euery vessell so packed and put to sale vi. s. viii. d. 22. Ed. 4. 2. 11. H. 7.

Herringes.

9 ¶ Whosoeuer putteth to sale any Herring by barrel, half barrel, or firkin (except the barrell containe xxxii. gal. the halfe barrel & firkin after the same rate,) & that the Herring be of one times making & salting, & except it be well & iustly couched & packed in the midst, euery end, & part thereof, shall forf. for euery offence iii. s. iiii. d. 22. Ed. 4. 2. 11. H. 7. 23. But the assise of xxxii. gal. of wine measure which is about xxviii. gal. by old Standerd, well packed, and containing in euery barrel a thousand full herring at the least, shalbe taken for true & lawful assise of herring barrels. 13. El. 11. S. 3. Ed. 3. that sixe score herrings be accompted a hundred, & x. thousand a last.

Eles.

10 ¶ Whosoeuer putteth to sale Eles, except the barrell doth containe xlii. gal. ꝑ half barrel & firkin after ꝑ rate, or mingleth, packeth & putteth to sale any red, galbeaten, moren, or slipped eles, with good eles, shal forf. for euery such offence x. s. 22. Ed. 4. 2. 11. H. 7. 23.

How fish shal be packed.

11 ¶ Whosoeuer putteth to sale, any barrelled fishe, except the countable fish, called tale fish be packed by it selfe, and the small fish called grilles by it selfe, without mixture of them, and without pa-

king

king of fish with broken bellies with tale fish, or smal fish, or doth lay tale fish or smal fish double in packing, or packeth any tale fish which doth not containe in length frō the bone in the sinne to the iii. ioynt of the taile, xxvi. ynches at the least, or packeth fish the napes wherof be longer thē to the litle bone, which is vpon ẏ great sinne, or which fish is not splatted downe or opened to a handful of ẏ taile, or ẏ bone wherof is not taken away to the nauel of the same fish, shal forf. iii. s. iiii. d. for euery barrel which shalbe fond not packed, sorted, mixt, naped, laid double, or not boned as is aforsaid &c. 22. Ed. 4. 2. 11. H. 7. 23

What the gaugiour shall take for packing of fishe.

12 ¶ Euery Gaugiour, packer, & sercher shal take no more for gauging of a barrel of salmon, hering, fish, eles, halfe barrel & firkin, then for euery piece q. & for his labour for serching and packing (if neede be) of a barrell of salmon, from hed to hed i. d. & for boning, naping, & packing of a barrel of fish (if it be need) i. d. & for serching and packing of a barrel of Herring (if neede be) ii. d. and for serching and packing euery barrel of eles ii. d. And so in half barrels & firkins of herrings & eles, they shall take according to the former rate. And if any gaugior, sercher or packer do the contrary, he shall lose his office, & also be imprisoned xl. dayes. But the saide sercher or packer shal receiue nothing of the said fees, by colour of their office, but only for such buts, barrels &c. as by them shalbe sufficiently serched & packed, and were not sufficiently packed before. 11. H. 7. 23.

What herings may be bought of strangers.

13 ¶ It is not lawfull to any person to buy of any straunger borne out of the Queens obeisāce, or out of any strangers bottome, any herring being not sufficiently salted, packed, & caskt (herrings brought into this realme by reason of shipwracke onely except) vpō paine to forf. the herings so bought or the value thereof. 5. El. 5.

Cod & ling shall be brought lo. into this realme.

14 ¶ It is not lawfull to any person to bring into this Realme any Cod, or Ling in barrels or other caskes, but loose in bulke and by tale, to be sold within the realme, vpon paine to forf. al the Cod & ling &c. or the value thereof. 5. El. 5.

Fish brought in by strangers shall not be dried in England.

15 ¶ No fish taken, or brought into this Realme by any straunger, nor any fish commonly called scottish fish, or flemish fish, shall be dried within England to be sold, vpon paine of forf. of all such fish or the value thereof, which forfaiture shalbe to such person dwelling at any Towne where is any port, peere or hauen, as will seise the same & sue for the value in any Court of record, to be imployed to the reparie and maintenance of such Port, peere or hauen, as is next to the place where the offence shall be done 13. El. 11.

16 ¶ No herrings shalbe bought or sold in the sea vntill the fishers

The sale of herings.

shees be come to the hauen with their herings, and that the cable of their ship be drawen to the land, and the sale of them shalbe from the Sunne rising vntill the sunne setting, and not before nor after, vpō paine of forf. thereof. 31. Ed. 3.

1 For the transporting of Herring and other sea fish. S. corne. 1. Shippes. 1.

2 For restraining or taking tolle of fish brought into this realme S. Shippes. 2.

3 That no fisherman shall anker vpon the maine sea, in the time of the common fishing. S. Shippes 7.

4 That no fisherman shall be compelled to serue as a souldier, or as a marriner, but in certaine cases. S. Marriners. 2. 3.

5 That none of the Queenes Purueyours shal take any fish from any man, that taketh the same in any English mans shippe. S. Pureyours. 24.

6 What fish may be trāsported without custome. S. Custome. 5

Fish dayes.

Euery wednesday fish day.

EVery Wednesday in euery weeke through the whole yeere, which heretofore hath not (by the lawes or customes of this realm) bene obserued as a fish day, & which shal not fal in Christmas weeke or Easter week, shalbe obserued as the Saterdayes in euery weeke, be or ought to be. And no person shall eate any flesche on the same day other wise then ought to be vpon the common Saterday.

The offendor.

And it shall not be lawful to any person within this realme to eate any flesh vpon any dayes now vsually obserued as fish dayes, or vpon any wednesday now newly limitted to be obserued as fish day, vpon payne to forf. iii. li. for euery time he shall offend, or els suffer iii. moneths close imprisonment, without baile or mainprise. And euery

The party in whose house the offence is committed.

person within whose house any such offence shalbe done, and being priuie or knowing thereof, & not effectually punishing, or disclosing the same to some publique Officer hauing auctoritie to punish the same, for euery such offence shall forf. xl. s. 5. El. 5. 2. Ed. 6. 19.

One dish of flesh.

2 It shalbe lawfull to any person to haue at his table vpon euery Wednesday, being ordred by this estatute to be obserued as a fish day, one onely vsuall competent dish of flesh of one kinde and no mo, so that he haue also serued to the same table & messe at the same meale, iii. ful cōpetent vsual dishes of sea fish, of sundry kinds, either fresh or salt, & yt without fraud or couin, & so shal also order, yt the same fish be meet & seasonable, & that it shalbe eate or spent in due manner as

as vpon fridaies or saterdaies in like cases are vsed, vpon the payne aforesaid. 5. El. 5.

3 ¶ Such persons as haue vpon good consideration any lawful licence to eat flesh vpō any fish day, be bound to haue for euery one dish of flesh serued to be eaten at their table one vsual dish of sea fish, fresh or salt, to be likewise serued at the same table, and to be eaten, or spēt without fraud or couin, as the like kinde is or shalbe vsually eaten or spent on saterdaies, (Except such persons as for sicknes, shal for that time be licenced by the Bishop, Curat or &c. or by reason of age, or other impediment, allowed heretofore by the Ecclesiasticall lawes of this realme) vpon the paine aforesaid. 5. El. 5. Persons licenced to eat flesh.

4 ¶ All which forfaitures for not abstaining from meats shalbe deuided into iii. equal partes, That is, one part to the vse of the Q. her heirs &c. ỳ other part to the Informer, the thirde to the cōmon vse of the parish where the offence shalbe committed, & to be leuied by the Churchwardens after any conuiccion in that behalfe. 5. El. 5. The forfeitures.

5 ¶ But this act concerning eating of flesh, shall not extend to any persons hauing any special licence, vpon causes conteined in the same, and graunted according to the lawes of this realme, euery of which licences shalbe voide, vnles the same containe these conditions, viz. Euery licence made to any person of the degree of a Lord of ỳ parliament and his wife, shalbe vpon condition, ỳ they shall pay to the poore mens box, within the parish where they remaine &c. in the feast of the Purification of &c. or within vi. dayes after, xxvi. s. viii. d. And to be payed within one moneth next after the same feast, vpon paine of forfaiture of the same licence. A knight & his wife shall pay yerely xiii. s. iiii. d. Euery person vnder the said degree shall pay yerely vi. s. viii. d. to the said vse, at the foresaid time, and vpon the aforesaide condition. 5. El. 5. The condition of licences.

6 ¶ Al persons which by notorious sicknes shalbe enforced for recouery of their helth, to eat flesh for the time of their sicknesse, shalbe licenced by the Byshop of the dioces, or by the Parson, Vicar, or Curat of such parish, where such person is sicke, or of one of ỳ next parish adioyning (if there be no Curat &c. in the same Parishe, or if he be wilful) which licence shalbe signed with the hande of the Bishop, Parson &c. and endure no longer then the time of sicknes. And if the sicknes continue aboue viii. dayes after the licence graunted, it shalbe registred in the Church booke, with the knowledge of one of the Churchwardens. And ỳ party licenced shal giue to the Curat iiii. d. for euery entrie, and it shall endure no longer but for his sicknesse, Licences to sicke persons.

And if any licence by any Parſon, Vicar, or Curat be graunted to any perſon other then ſuch as euidently appeare to haue neede thereof by reaſon of their ſicknes, not onely euery ſuch licence ſhalbe voide, but alſo euery ſuch parſon, curat or vicar ſhal forfait for euery ſuch licence otherwiſe graunted v. Markes. 5. El. 5.

To the eating of what meats a licence doth not extend.

7 ¶ No licence ſhall extende to the eating of any Beefe at any time of the yeere, nor to the eating of any Veale, in any yeere from the feaſt of Saint Michael ye Archangel, vnto the firſt day of May, 5. El. 5. to continue for x. yeres, from the feaſt of ſaint Michael, An. Do. 1564. and from thence to the end of the next parliament.

Force & Forcible entrie.

The puniſhment of forcible entries.

WHoſoeuer maketh his entrie into any lands and tenements, but in caſe where his entry is giuen by the lawe, and that in peaceable and eaſie maner, and not with ſtrong hande or multitude of people, and thereof is conuicted, ſhalbe impriſoned and pay a fine at the Queenes pleaſure. 5. R. 2. 7. The like proces ſhalbe awarded in euery accion brought vpon this ſtatute as in a common accion of treſpas at the common law. 23. H. 8. 14. If the plaintife in this accion after the apparance of the defendant be nonſuit, or any verdict paſſe againſt him, the def. ſhal recouer coſtes againſt ye pl. 23. H. 8. 15

Forcible entrie or forcible detaining of land

2 ¶ Whoſoeuer doth enter with force into any landes or tenements, or into any benefices or offices of the Church, or doth enter peaceablie, & after doth hold them with force, vpon complaint therof made to one or more Juſtices of the peace of the countie, or to the Maior, Bailife, Sherife, Juſtices or Juſtice of peace of the Citie, Towne, or Borough hauing fraunchiſe, where ſuch forcible entrie is made, the ſaide Juſtice, Maior or &c. ſhall within conuenient time take ſufficient power of the ſame countie, citie &c. and at the coſtes of the plaintife, goe to the place where the force is made. And if he may finde any ye made ſuch forcible entrie, or that holde the place by force after peaceable entrie made, he ſhall take the offendors & commit them to the next gaole, there to remaine conuict by record of ye ſame Juſtice, vntill they haue payed a fine to the Queene. And whether the parties which made ſuch entries be preſent, or gone at the comming of the Juſtice, the ſayde Juſtice, Maior &c. ſhall in ſome good towne or conuenient place, nere vnto the place where ſuch force was made, inquire by a ſufficient Jurie of the ſame Countie, Citie &c. of them which made ſuch forcible entries. And if it be founde before them, that any haue made entrie in forme aforeſaid, the ſaid Juſtice,

Maior

Maior &c. shall releise the said landes or tenements so entered vpon, and thereof put the partie in possession which in such sort was put out. 15.R.2.2.8.H.6.9.S.Iustice of peace.89.

3 ¶ And if any person after such entrie or holding with force, will make a feoffement, or other discontinuãce to any Lord or other person to haue maintenance therein, the same is vtterly voide. And also in the cases aforesaid the P. grieued may haue an assise of Nouel disseison, or an accion of trespas against the disseisor, and if the def. be attainted of force, he shall answere to the pl. his treble damages, & also pay a fine to the Q. But they may keepe lands with force, which either them selues, their Auncestours, or they whose estate they haue, haue bin in possession of the same by the space of three yeres or aboue 8.H.6.9.1.R.2.9. A fetlement of lands obtained by force. Keeping lands whereof the partie hath bin iii. yeres in possession.

4 ¶ If the sherife, or any other of the countie do not attend vpõ the Iustice to go & assist him, to arrest such offendors, he or they so offending shalbe imprisoned and pay a fine to the Queene. 15.R.2.2. & che man shall help to remoue force.

5 ¶ Whosoeuer maketh any forcible entre into an other mans lands in his owne right to his owne vse, or in any other mans right to his vse, by the way of maintenance, and thereof is attainted in an Assise at the suit of the partie grieued, shall be one yeere imprisoned, and pay to the partie greeued his double damages. And also shal answere to the party grieued, damages for his goods, & cattels, if vpon the said forcible disseison, he tooke away any. 4.H.4.8. Forcible entries by maintenance.

1 What Iurors shalbe returned to inquire of forcible entries, S. Iuries. 12.

2 That no discent after a forcible disseison shall take away any mans entrie. S. Entrie. 1.

3 Where a speciall assise is grauntable vpon a forcible entry. S. Assise. 6.

4 For Riots, routs and vnlawfull assemblies, and all forces thereupon committed. S. Riots.

Forrests, Chases, Parkes, Warrens.

NO man shal lose life or member for killing of ỹ Queens deare, but if he be taken therewith & conuicted, he shall make a grieuous fine (if he hath any thing) if not, he shalbe imprisoned a yeere & a day, and after shalbe deliuered, if he can finde suerties, or otherwise he shal abiure &c. Charta Forest. 9.H.3.10. But to hunt in the night in any Forrest, Parke, or Warren, or with painted faces, visors or other disguisings to the intent he would not be knowen, and being The punishment for killing ỹ Queens deare. Hunting disguised.

examined before one of the Queenes counſel, or a Juſtice of peace of the ſame ſhire to cõceale the ſame offence, or any offendor, is Felony. 1.H.7.7.S.Felony.24.

The puniſhment of offendors.

2 ¶ The Foreſters in whoſe bayliwikes any treſpas done within the Queenes Foreſt of Uert or Ueniſon ſhalbe committed, ſhal preſent the ſame treſpalles at the next Swanimont before the Foreſters, Uerdours, regardours, Agiſtours & other officers of the foreſt, which preſentment ſhalbe made by the othes of knights, & other good and lawfull men and not ſuſpicious, of the parties adioyning, or neere where ſuch treſpalles ſhalbe preſented, and where ỳ trueth may beſt be knowen. And the trueth being perfectly knowen, then ſuch preſentment by the conſent of all the ſaide officers, ſhall be ſolempnlie written and ſealed with their ſeales, And if any indictment be in other maner, the ſame ſhalbe voyde. And no man ſhalbe taken or impriſoned for Uert or Uenilon, vnleſſe he be takẽ with ỳ maner, or indicted in forme aforeſaid. And the chiefe Warden of the foreſt ſhall let him to mainprile, vntill the Eire of the Foreſt, without taking any thing for his deliuerance. 34.Ed.1.1.Ed.3.8. And if any officer of the Foreſt doth impriſon any perſon, or doth compel any perſon to make any obligation or ranſom vnto him, againſt the ordinance aforeſaid, and is thereof attainted, he ſhal pay to the party greued his double damages, and make fine to the Queene. 7.R.2.4.

Hunting Deare in a parke or other incloſed ground.

3 ¶ If any perſon doe wrongfully, or vnlawfully by night or day, breake, or enter into any Parke impaled, or other ſeueral ground incloſed, with wall, pale, or hedge, vſed for the keeping, breeding, or cherilhing of deare, And hunt, chace, or driue out, or take or kill any deare, within the ſaide ground, he ſhall yeelde to the party greeued his treble damages, ſuffer impriſonment by ỳ ſpace of iii. moneths, and then ſhal find ſufficient ſuerties for his good abearing by ỳ ſpace of vii. yeeres after, or els lye in priſon vntill he hath found ſuerties. But this ſtatute ſhall not extende to any Parke or incloſed ground vſed for deare hereafter to be made, without the graunt or licence of the Queene, her heirs, ſucceſſors or progenitors. And it ſhalbe lawfull for the P. greeued to ſue & take his further remedy againſt every ſuch offendor for his loſſe & damages, before ỳ Juſtices of peace, Juſtices of aſſiſe, & Juſtices of Oyer &c. or els where in any other Queenes courts of recorde. And vpõ ſatiſfaction or confeſſion of the damages, to releaſe to the offendor the ſuertiſhip of good abearing at any time within ỳ vii. yeeres. 5.El.21.S.Weſt.1.3.Ed.1.20.

whosoeuer committeth Trespas in parkes or pondes, shall make great amendes to the partie, be iii. yeeres imprisoned, make fine at the Queenes pleasure, and finde suertie that he shall not commit the like offence. And if he cannot finde suertie, he shall abiure, and if he flye and haue no land, he shalbe proclaimed and outlawed. S. Iustice of peace. 34.

Killing of offendors in forrests, parks, or warrens.

4 ¶ If any Forrester, Parker or warrener, finde any offendors within his Baliwick there wandering, and doing hurt, which after hue and cry leuied to keepe the peace, and obey the law, wil not yeld themselues to the same Forrester &c. but will flye and defend themselues by violence, Then though the Forresters &c. or any other being in their company to keepe ỳ Queens peace, comming to arrest such Offendors, do slay any of the saide offendors, he shal neither suffer death, nor sustaine any other punishment therefore. But if any of ỳ said Forresters, parkers, or warreners, by reason of any cõtenciõ, despite, or hatred before cõceiued wil lay to any mans charge passing though his Bayliwicke, that he came thither to doe hurt, whereas he did not, neither was found wandering or offending, & so kill him, and therof be cõuicted, he shalbe punished for his death, as he ought to be punished for ỳ death of any other being in ỳ Queens peace 21. Ed. 1

Noble men may hunt the Queenes game.

5 ¶ It is lawful for euery Archbishop, Bishop, Erle, or Baron, comming to the Queene at her commandement, and passing by her Forrest, to take one or ii. of her Deare by the viewe of the Foster, if he be present, or els he shal cause a horne to be blowen, least he should seeme to steale it. And likewise may they doe, as they returne home. Charta forestæ. 9. H. 3. 11.

Lawing of doggs.

6 ¶ Dogges shalbe lawed euery iii. yeeres when the range is made by the testimony of honest men, in those forrests where dogges haue bene vsed to be lawed, and not elsewhere, vz. the iii. clawes of ỳ forefoote shalbe cut of by the skinne, and he whole dog is not founde lawed, shalbe amerced iii. s. But no Oxe shalbe taken for the lawing of dogges. Charta forest. 9. H. 3. 6.

The Iury shall giue their verdict where they receiue their charge.

7 ¶ No Iury shalbe compelled against their willes, by threatninges, or imprisonment, to trauell frõ the place where their charge hath giuen them, to giue their verdict, nor yet to giue their verdict otherwise then their conscience doth moue them, for any trespas committed within the forrest. 7. R. 2. 3. Neither shal those persons which ought to remaine without ỳ forrest come before ỳ Iustices of the forrest by common summons, except they be impleaded, or pledges of any person or persons which be attached for the forrest. Char. forest. 9. H. 3. 3.

Euery Iustice of the forest, may make deputies.

8 ¶ Euery Iustice of the Queenes Foxestes, Parkes, and Chases within this realme, by their writing sealed with the seale of their office, shal make and appoint as many deputie or deputies for the exercising of the same office of the Iustice of the Foxestes, as to such Iustices from time to time shal be thought conuenient, which deputie and deputies so appointed, shall haue like authoritie to doe and execute all things concerning the Queenes Foxestes, Parkes, and Chases, and all other things concerning the office of the Iustice of the Foxestes to all intents, and in as ample maner as the same Iustice may lawfully doe, and as though the same Iustice were there personally present. 32. H. 8. 35.

1 How eche person may vse his woods, ground, & other things which he hath within the forest. S. Woods. 23. 24. 25.

2 That officers of Forests shall not be sworne in Enquest. S. Iuries. 4.

3 That a man hauing no parke &c. of his owne, shall not kepe any Buck stals or Deare haies. S. Hunting. 3.

4 That no man shall stalke, but in his owne ground. S. Hunting. 4.

5 Howe long woods felled in a parke or ground inclosed for Deare shalbe preserued from cattell. S. VVoods. 20.

6 That he which hath a parke and deare therin, shalbe charged to keepe certain horses therin. S. Horses. 1.

7 VVhere drifts shalbe made of forestes or chases, when, and whom. See Horses. 7.

Forfaitures.

No forfaite for killing of certaine robbers or felons.

IF any person shalbe indicted, or appealed, of or for the death of any such euil disposed person, which attempteth feloniously to robbe or murder him in or nigh any common high way, cart way, bote way, or foote way, or in his mansion or dwelling place, or for the killing of him which attempteth to breake his dwelling house in the night, and of the same by verdict so found and tried, he shall lose neither lands, tenements, goods or cattels, for the death of any such euil disposed person, but shalbe fully discharged therof, as if he were acquit of the death of the said person. 24. H. 8. 5.

Forfaite by attainder of high treason.

2 ¶ Euery offendor being lawfully conuicted of high treason, by verdict, confession, outlawry or presentment, shall forfaite to the Queene all such lands, tenements and hereditaments, which he shall haue in his owne right, in vse or possession of any estate of inheritance, at the time of such treason committed or at any time after

5. Ed. 6.

5.Ed.6.11.But there shalbe no corrupcion of blood to any heir, nor the wife of the offendor shall forfaite her dower, by the attainder of any person for any of the offences made treason by the statute prouided 5.El.1.for the assurance of the Queenes power ouer all estates,or by the stat.prouided 5.El.11.against the clipping,washing, rounding or filing of Coyne, or by the Statute prouided.18.El.1. against the impayring of the Queenes coyne and other coynes currant within this realme.

1 Where a woman shall forfaite her land for making an vnlawfull contract of matrimony.S.Women.10.

2 Where there shalbe forf. of land for committing or consenting to rape S.Rape.3.

3 Who shal haue the forfaitures of all Felons goods and landes condempned,S.Prerog.16.

4 Who shal haue the forf.of a Bishops tenants attainted during the vacation.S.Prerog.14.

5 That no person arrested and imprisoned shall forf.his goods before he be conuicted &c.S.Sheriffes.26.

Forging of deedes and writinges.

Forging of any deedes, whereby an others freehold shalbe troubled

IF any person vpon his own head and imagination, or by false conspiracy and fraud with others, shall wittingly, subtilly,and falsely forge or make, or subtilly cause, or wittingly assent to be forged or made any false deede, charter or writing sealed, court roule, or the will of any person in writing, to the intent that the estate of freehold or inheritance of any person or persons, of, in, or to any landes, tenements,or hereditaments,freehold or copie hold, or the right, title, or interest of any person, of, in, or to the same or any of them, shall or may be molested, troubled, defeated, recouered or charged, or shall pronounce,publish,or shew foorth in euidence any such false & forged deed,charter,writing,court roule, or wil,as true,knowing the same to be false & forged,to the intent aforesaid, and shalbe therof conuicted, either vpon accion or accions of forger of false deeds, founded vpon this statut, at the suit of the party grieued, or otherwise according to the course of the lawe , or vpon bill or information exhibited in ỹ Starre Chamber, he shall pay to the party grieued his double costs & damages found or assessed in ỹ court where such cõuiccio shalbe,& also shalbe set vpõ ỹ Pillory in sõe market town, or opẽ place, & there haue both his eares cutt of, & his nostrels slitte,cutt & seared with a hotte Iron,so as they may remayne for a perpetual marke of his falshood,& shall forf.to the Queene, the whole issues & profits of

his lands, during his life, and shal suffer perpetual imprisonment during his life, The said dammages and costs to be recouered at ỳ suit of the partie greeued, to be first payed & leuied of the goodes and cattels of the offendor, & of the issues & profits of his landes &c. or of one or both of them, the title of ỳ Queene &c. notwithstanding. 5. El. 14.

Forging a deed whereby a lease or annuitie may be claimed.

2 ¶ If any person vpon his owne imagination, or by false conspiracie or fraude with any other, shall wittingly, subtilly and falsly forge, or make, or wittingly, subtilly & falsly cause or assẽt to be made, and forged, any false charter, deede, or writing, to ỳ intent ỳ any person or persons shall or may haue or clayme any estate or interest for term of yeres, of, in or to any manors, lãds, tenemẽts or hereditamẽts not being copihold, or any annuitie in fee simple, fee taile, for term of life, liues, or yeres, or shal as is aforesaid forge, make or cause, or assẽt to be made or forged any obligation, or bill obligatory or any acquitance, releale, or other discharge of any debt, accompt, accion, suit, demaund or other thing personal: Or shall pronounce, publishe, or giue in euidence any such false or forged charter, deede, writing, obligation, bill obligatory, acquitance, releale or discharge, as true, knowing the same to be false, and forged, and shalbe thereof conuict by any of the waies or meanes aforesaid, then he shal pay to the partie grieued, his double costes and dammages to be found & assessed in such court, where the said conuiccion shalbe, and also shalbe set vpon the Pillorie in some open market towne, or other open place, and there lose one of his eares cut of, and also shal suffer imprisonment by the space of one whole yeere without baile or maimprise. 5. El. 14.

Forging an obligation, acquitance, releale.

Giuing in euidence a forged deede.

Seuerall remedies for ỳ partie greeued.

3 ¶ The partie grieued by reason of any the offences aforesaide shal and may at his pleasure, haue, & sue his accion of forger of false deedes, vpon this statute against any the offendors in the same, by originall writ out of the Chauncery, and haue like proces vpon ỳ same, as in cases of trespas at the common lawe, or may take his suit against any such offendors in any the premisses, by bill, in the Kings Bench, or in the Eschequer, where in no E. I. P. &c. But if the defendaunt shalbe conuicted for any the offences aforesaide, according to the order aboue limitted, and shall haue receiued punishment corporall, according to this act, then he shal not eftsones be impeached in the same offence, but though the plaintife in any such accion or bill to be sued, shall after verdict passed against the defendant release or discharge the iudgement, or execution vpon the same, or otherwise suffer the same to be discontinued, yet the same releale, discharge or discon-

No person twice impeached of one offence.

discontinuance shal extend onely to discharge such costs & damages as the same playntife should haue had against the defendant, and the Iudges before whom ỹ sayd action or suite shalbe taken, shal & may proceed to iudgement vpon the residue of the sayd penalties & forfaitures, and command execution vpon the same, the sayde discontinuance or other discharge notwithstanding. 5. El. 14. The pl. release shal onely discharge his remedie.

4 ¶ If any person beyng conuicted of any of the offences afore-said by any ỹ waies or meanes aboue limitted, shal after such his cõuiction eftsoones cõmit any of the sayd offences in forme aforesaid, & shalbe thereof conuicted or attaynted, then euery such second offence shall be adiudged felony without benefite of Clergy or Sanctuary, But there shalbe no corruption of blood, disheritance of the heire, or losse of dower by this felony, Sauing to euery person (other then the sayd offendors, and such as clayme to their vses) all such rights, tities, and other profites which any of them haue, at the tyme of such cõuiction or before, in or to any ỹ lands &c. of any such person cõuicted. And all & euery Iustices of Oier & determiner, and Iustices of Assise in their circuites, & euery of them shal haue authoritie in their open and generall Sessions to enquire of, heare and determine of al and euery the offences aforesayde, committed or done within the limittes of their Commission, and to make proces for the execution of the same, as they may do agaynst any person beyng indited before them of Trespas, or lawfully conuicted thereof. 5. El. 14. The panishmẽt for the second offence. Others' rights saued.

5 ¶ But this Act shall not charge any Ordinary, or any of their Commissaries, Officials, Registers, or any other their officers, for puttyng their seale of office to any wyll exhibited vnto them, not knowyng the same to be false or forged, or for writing of the sayd wil or probate of the same. Neyther shall it be hurtfull to any Proctor, Aduocat, or Register of any ecclesiasticall court within this realme, in the wryting, setting foorth, or pleading of any Proxie made according to the Ecclesiasticall lawes, vsed and allowed by the ecclesiasticall Courtes for the apparance of any person cited to appeare in any of the sayde Courtes, nor to any Archdeacon or Officiall for puttyng their Autentique seale to the sayde Proxie, neyther yet to any Iudge Ecclesiasticall, for admitting the same. Neyther shal this Act extende to any Atturney, Lawier, or Counsailor, that shall for his Client pleade, shewe foorth, or gyue in euidence, any false and forged deede, Charter, wyll, Court roule, or other wryting, for true or good, beyng not partie and priuie to the forging of the same, for the pleading, shewing foorth, or gyuing in euidence These persons are not chargeable by this statute.

of

of the ſame, Neyther ſhall this Act extende to any perſon that ſhall pleade or ſhewe forth any deede or writing exemplyfied vnder the great ſeale, or the ſeale of any other Autentique Courte of this Realme, Nor ſhal extende to any Iudge or Iuſtice, or other perſon that ſhall cauſe any ſeale of any Courte to be ſet to any ſuch deede Charter, or writing inrouled, not knowing the ſame to be falſe or forged. 5. El. 14.

1 That a ſeruant taken with a forged teſtimoniall, ſhalbe whipped as a Vagabond. S. Laborers. 8.

2 For getting other mens goods by a counterfaite or forged token or letter. S. Counterf. 1.

Foreſtallers, Ingroſſers, Regrators.

Who is a Foreſtaller.

WHoſoeuer doth buy or cauſe to be bought any marchandize vitayle or other thing comming by lande or water to any fayre or market, to be ſolde in the ſame, or comming to any Citie, Port, Hauen, Creeke or Rode of this Realme or from any part beyond the ſea, to be ſolde, or make any bargaine, contract or promiſe, for the hauing or buying of the ſame, or any part thereof ſo comming, before the ſayde marchandize, vitailles or other thing ſhalbe in the market, faire, Citie, port, hauen, Creeke or ready to be ſolde, or ſhal make any motion by worde, letter, meſſage or otherwiſe to any perſon for the enhauncing of the price, or diſſelling of any of the things aboue mẽcioned, or elſe diſſwade, or ſtirre any perſon comming to the market or faire, to forbeare bying any of the thinges aboue mencioned, to any fairr, market, citie &c. ſhall be adiudged a foreſtaller. 5. Ed. 6. 14. And 5. Ed. 1. it was enacted, that no foreſtaller ſhoulde be ſuffered to dwell in a towne, for he is a manifeſt oppreſſor of the poore, a publike enemie of the country, and whole common wealth.

Who is a Regrator.

2 ¶ Whoſoeuer ſhall regrate or get into his poſſeſſion, in any faire or market, any corne, wine, fiſh, butter, cheeſe, candles, tallow, Sheepe, Lãbes, Calues, Swine, Pigges, Geeſe, Capons, Hennes, Chickins, Pigeons, Conies or other dead vitaile whatſoeuer, which ſhalbe brought to any faire or market within this Realme or Wales to be ſolde, and doeth ſell the ſame againe in any faire or market holden in ỹ ſame place, or in any other faire or market within iiii. miles thereof, ſhalbe reputed a Regrator. 5. Ed. 6. 14.

Who is an engroſſer.

3 ¶ Whoſoeuer doth ingroſſe, or get into his hands by buying contracting, or promiſe taking (other then by demiſe, graunt or

of land or tithe) any corne growing in the fieldes, or any other corne, butter, cheeſe, fiſh, or other dead vitail within England, to the intent to ſell the ſame againe, ſhalbe taken an engroſſer. 5. Ed. 6. 14.

4 Whoſoeuer offendeth in any of the things before reherſed, and beyng thereof duely conuicted, or attaynted by the lawes of this Realme, or after the forme enſuing, within two yeeres next after ſuch offence committed, ſhall for his firſt offence, ſuffer impriſonment by the ſpace of two monethes without bayle or mainpriſe, and forfaite the value of the goods, cattell & vitaile ſo by him bought or had, And being thereof once lawfully conuicted or attaynted, ſhall for his ſecond offence, beyng thereof eftſoones lawfully conuicted &c. ſuffer impriſonment by the ſpace of halfe a yeere, without bayle or mainpriſe, and ſhall loſe the double value of the goods &c. ſo bought or had, as is aforeſayde, and beyng twice conuicted of any of the ſayde offences, ſhall eftſoones offend the thirde tyme, and be thereof conuicted or attainted, he for his thirde offence ſhall be ſet on the pillory in the citie, towne or place where he ſhall dwell, and ſhall forfaite all his goods and cattell, and ſhall be committed to priſon, and there remayne during the Queenes pleaſure. But he that is once punished for any offence, ſhall not be eftſoones troubled or puniſhed for the ſame. 5. Ed. 6. 14. Who ſhal haue the forf. and howe it ſhalbe leuyed. S. Iuſtice of peace. 31.

Punishment of the offendors.

5 But this ſtatute ſhal not extend to any Wines, Oyles, Sugars, Spices, Currants, or other forreine vitailes brought from beyond the ſea (Fiſh and Salt only except) 13. El. 25.

Vitailes brought from beyond the ſea.

6 It ſhal not be adiudged any offence contrary to this ſtatute, to take any cattel, corne, butter, cheeſe, or any of the aboue rehearſed things reſerued vpon any leaſe, for life, liues, or yeeres, Or to buy barley, bigge or otes, the buyer whereof ſhall conuert the ſame in his houſe to mault or otemeale, Or for any fiſhmonger, butcher, or other, for to buy any thing concerning their own facultie which ſhal ſell the ſame agayne, vpon reaſonable prices by retayle, or for any victualler or vitailer, for the buying of wyne, or other dead vitaile meete for mans ſuſtenance, to ſell the ſame agayne by retaile, within his houſe, or to any of his neyghbours, for their ſuſtenance for reaſonable prices, Or for the buying of any herring, pyed or ſalted fiſhe, ſprats, & ſold for reaſonable prices, Or for any of ỹ Queenes ſubiects dwelling within one mile of ỹ maine ſea, to buy any fiſhe freſh ſalted, & to ſel ỹ ſame againe at reaſonable prices, Or for the buying of any corne, fiſh, butter or cheeſe by any badger, lader, kidder, or carrier

These perſons for theſe cauſes may regrate or engroſſe.

carrier allowed by iii. Juſtices of peace, of that countrey where &c. which ſhal ſell the ſame agayne in any fayre or market, or to any ... tailer, or to any other perſon for the prouiſiõ of his houſe, within ... moneth after he bought thẽ, Or for any cõmon prouiſiõ made by ... perſon of any of the foreſayd things for any citie, borough or ... corporat, or for the vitailing of any ſhip, caſtell, or fort, Or for ... and prouide vitailes neceſſary for the furniture and prouiſion of ... inhabitants of the towne of Berwicke, Holley Iſland, or of the ... ches of England againſt Scotland, which ſhalbe tranſported & ... ueyed to ſuch of the places aforeſayd, as ſoone as wind & weather ... ſerue, Or for a common & knowen mouer beyng licẽced by iii. ... ces of peace of the county where he dwelleth, whereof one to ... the Quorum, to buy cattel in ſuch cõtities where diuers ... wont to buy & to ſell the ſame agayne, at ſome markets or fairs ... ing diſtant at the leaſt forty myles from the place where he ... them, or for any perſon beyng licenced by iii. Juſtices of peace ... buy corne, grayne or cattell, to be caryed by water from one ... place within Englãd or Wales vnto an other, if he do ſhippe ... barke the ſame within forty dayes, after he hath bought or ... ted for the ſame, & with ſuch expedition as weather wil ſerue ... the ſame, & do bring a certificat from a Juſtice of peace of ... or Maior or Bailif of ỹ towne corporat, & the Cuſtomer, ... vnlading ſhalbe, teſtifying the ſame vnto ỹ Cuſtomer & ... of the port where the ſame were imbarked, Or for euery ... buy, engroſſe, & keepe in his houſe Corne, when wheat ſhalbe ... at the price of vi.s.viii.d. the quarter, or vnder, mault & barly ... iiii.d. otes or otes maulted, at ii.s. peaſe or beanes at iiii.s. and ... maſtline at v.s. the quarter of London meaſure, or vnder, ſo ... of all the foreſayd corne, cattell, butter, cheeſe or other ... be bought, couenanted &c. by foreſtalling. 5. Ed. 6. 14. 13. El. 5.

7 This Statute, or any other ſtatute, made againſt ... lers, regrators and ingroſſers, ſhall not extend to any ſalt, ... fiſh vnſalted, mud fiſh, and ſalt, as any buyer or buyers ... by way of foreſtalling or regrating, ſhall & do bring in any ... ſubiects ſhippes, crayers or other veſſels and diſcharge in any ... or hauen within this realme. 5. El. 5.

1 For regrating of butter & Cheeſe. S. Butter. 1.

2 That no Butcher ſhal regrate any fat cattell. S. Butchers. 1.

3 Who may buy Cattell and ſell them againe, and within what ... tyme. S. Cattel. 1.

4 That he which buyeth corne for change of his ſeede ſhal bring in as much to the market. S. Corne. 10.

5 Who may engroſſe Tanned Lether & ſel the ſame againe, and who not. S. Lether. 36.

Franchiſes and liberties.

Euery ſtatute being in force made before 4. Februarii. Anno 27. H. 8. againſt Sheriffes, vnder Sheriffes, Bailifes, or other miniſters for making or returning of panelles or Juries, or for due execution and ſeruing of any writte or proces, or for taking of fees, extortion of extorcion, or for any other thing concerning their office, and all paynes and penalties contayned in euery ſuch ſtatute, ſhall be extended to all Stewardes, Baylifes, and other miniſters, officers of liberties and franchiſes hauing returnes of writtes, or execution thereof, in like maner as they extend to Sheriffes, vnder Sheriffes &c. as if the ſayde Baylifes, Stewardes &c. had bene particularly named in ſuch Statutes, Sauing that the ſayd Stewardes, Baylifes of franchiſes, their deputies or Clerkes may occupie their offices aboue one yeere, vz. for ſo long time as they be giuen to them. 27. H. 8. 24. Statutes prouided for Sheriffes, ſhall extend to bailifs of liberties.

2 The Queenes Maieſtie, her Steward, Marſhall, Coroner, and all her miniſters, ſhal and may keepe their Courts for Juſtice, & exercyſe their offices as ſhal appertaine to them according to ỹ lawes, cuſtomes & ſtatutes of this realme, in all places within this realme, as well within liberties and franchiſes, as without, within the verge accuſtomed to her Court, where her highneſſe in her owne perſon ſhal come to reſt or abyde. And the Queenes Clerke of the market, or none other during the ſame tyme, aſwell within liberties as without, ſhal exercyſe the office of the Clerk of the market notwithſtanding any priuiledge, graunt &c. But this ſtatute ſhall not be prejudiciall to the liberties of the City of London. 32. H. 8. 20. Where the Queen cõmeth her courts ſhal be kept within franchiſes.

Clerke of the market.

3 The amerciaments for inſufficient returnes of writtes or proces made by ſtewards or bailifes of liberties, hauing returne writtes & execution of the ſame, ſhalbe ſet vpon the heads of ſuch ſtewards or baylifes, not vpon the Sheriffes. 27. H. 8. 24. Amerciament for inſufficient returnes by Bailifes of liberties.

1 That the Queenes purueior may take any vitailes within franchiſes. S. Purueiors. 23.

2 That no perſon hath franchiſe or auctoritie to pardon felons, nor appoynt Iuſtices, but the Q. onely. S. Prerogatiue. 17.

3 That the Queene ſhal haue the fines & amerciamẽts forfaited by Baylifes and Stewards of franchiſes. S. Prerogatiue. 20.

4 That

4 That lordes of liberties ſhall appoynt ii. or iii. expert men to ſearch and ſeale lether. S. Lether. 25.

5 That the Q. may ſeiſe a franchiſe for default of purſuit or arreſting of felons. S. Felony. 34.

6 That the lord of a franchiſe where goods be ſhewed in a fayre or market, vpon dayes prohibited, ſhall haue the ſame goods. S. Fayres. 2.

7 In whoſe name all writts, Indictments & proces made within any libertie, & in whoſe name the Teſte of the ſame ſhalbe awarded. S. Prerogatiue. 18.

8 For the executing and returning of writtes in franchiſes. S. returnes. 3. 6. 7. 8.

9 What perſons, & of what ſufficiencie ſhalbe returned by bailifes of franchiſes to enquire of Riots. S. Riots. 13.

10 In what time Bailifes of franchiſes ſhal array aſſiſes & deliuer the Copies. S. Aſſiſe. 8.

11 That the Sherife may not enter into any franchiſe to execute their precept, which be Commiſſioners, to enquire of the decay of Tillage. S. Sherifes. 24.

12 VVhere the Sherife ſhall make his precept to a Bailife of a franchiſe, and where he himſelfe ſhall deliuer cattell impounded. S. Sherifes. 30.

Fraudulent deedes, Giftes &c.

Fraudulent deeds to auoyd other mens dueties, be voyde.

ALl and euery feoffement, gift, graunt, bargayne, alienation, conueyance of lands, tenements, hereditaments, goods, &c. or of any leaſe, rent, cõmon, or other profite or charge out of the ſame lands, hereditaments, goods &c. or any of them by writing or otherwiſe, and all and euery bonde, ſuite, iudgement, and execution at any tyme had or made, ſithence the beginning of our ſoueraygne Lady Queene Elyzabeths raygne, or at any tyme hereafter to be had or made, which haue bene, and are deuiſed, and contriued of malice, fraude, couin, colluſion, or guyle, to the intent &c. to delay, hynder or defraude Creditors, and others of their iuſt and lawfull actions, ſuits, debtes, accomptes, damages, penalties, forfaitures, heriottes, mortuaries or reliefes, ſhalbe taken and deemed onely againſt the perſon, his heires, executors, ſucceſſors or aſſignes, whoſe actions, ſuites, debts, accomptes &c. by ſuch guyleſull or fraudulent meanes, deuiſes, practiſes, are, ſhall or mought be in any wiſe hindered, delayed, or defrauded, to be cleerely voyde and of none effect, any couinour, fayned conſideration, expreſſing of vſe, or other matter to the contrary

contrary notwithstanding: But this statute shall not extende to any estate in lands, leases, goods &c. assured vpon good consideration, & Bona fide to any person or persons, bodies politike or corporat, not having at the tyme of such conueyance &c. any knowledge of such fraude, collusion &c. 1. R. 2. 9. 2. R. 2. 3. 13. El. 5. 14. El. 11.

Parties to fraudulent deedes.

2 ¶ All the parties to such fayned or fraudulent feffement, gift, graūt, alienation, bargayne, conueiance, bond, suit, iudgement, execution &c. or being priuy or knowing of the same, which shal wittingly & willingly put in vre, auow, maintayne, iustifie, or defend the same, or any of them, as true, simple, & done or made Bona fide, and vpon good consideration, or shal alien or assigne any the lands, tenemēts, goods, leases &c. to them conueyed, or any part thereof, shall forf. to the Q. & the P. grieued by such fraudulent feffement, gyft, bond, suit &c. one peeres value of the sayd lands &c. leases, rents, or other profites, and the whole value of the sayd goods and cattels, and so much money as shalbe contayned in such coueynous and fayned bond, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. And being therof lawfully conuicted, shal suffer imprisonment one halfe yere, without bayle or mainprise. 13. El. 5. 14. El. 11.

Common recoueries.

3 ¶ But common Recoueries had agaynst tenant in tayle or other tenant of the freehold of landes, the reuersion or remaynder, or right of reuersion or remaynder whereof then shall be in any other person, shall as touching such person, and his heires which hath the reuersion or remainder, be of like force, and none other, as the same should haue bene if this Act had not bene made, and no estate or conueyance, by reason whereof any person shall vse any voucher in any writte of Formedon, shalbe made voyde by this Act: But euery such voucher in any writte of Formedon, shall be of like force, as if this Act had not bene made. 13. El. 5. 14. El. 11. to continue vntil the end of the next Parliament.

Voucher in formedon.

1 For fraudulent deedes made by an Ecclesiasticall person, to the his successors of their remedie for dilapidations. S. Dilapitions. 1.

2 That fraudulent conueyances made by Fugitiues shalbe voyd against the Queene. S. Fugitiues. 4.

3 For fraudulent conueyances to defeate the Lord of his warde, mariage or reliefe. S. Wardes. 1. 2. 24.

4 For fraudulent conueyances made of any Abbey, Chauntrie, Colledge, or free Chappell landes. S. Monasteries. 4. 9. 26.

5 For Collaterall and fraudulent assurances made of landes to the

the vſe of any Church, Chappel &c, S. Mortmaine, 8.

Freeholde.

WHoſoeuer doeth conſtraine any perſon to appeare before the Councell, of a Lorde, Lady, or any other, to anſwere for his freeholde, or any thing touching his freeholde, or for any other cauſe reall or perſonall, which belongeth to the law of the Realme in any maner, ſhall forfaite to the Queene xx.li. 15. R. 2. 12. 16. R. 2. 5. No man ſhal diſtrayne his freeholder, to anſwere for his freehold or any thing thereunto belonging, without the Queenes writte, nor ſhall cauſe his freeholder to ſweare againſt his will, for that no man can do without the Queenes commandement. 52. H. 3. 22.

Fuell.

The aſſiſe of Fuell.

ALl Talwood, Billet, Fagot & Coles to be made or put to ſale within the cities of London & Weſtminſter, or in the ſuburbes of the ſame, ſhal keepe the aſſiſes folowing, vz. euery ſacke of coles ſhall contayne iiii. buſhels of good & cleane coles. And euery Talſhid ſhall contayne in length iiii. foote beſide the carfe. And euery Talſhid named of one, to cõtayne in greatnes within a foote of the middeſt xi. ynches about. And euery Talſhid named of ii. to cõtaine in greatnes within a foote of the middeſt xxiii. ynches about. And euery Talſhid named of iii. to cõtaine in greatnes within a foote of ỳ middeſt xxx. inches about. And euery Talſhid named of iiii. to cõtaine in greatnes within a foote of the middeſt xxxvii. ynches about. And euery Talſhid named of v. to cõtaine in greatnes within a foote of the middeſt xxxx. ynches about. And euery Billet to containe in length iii. foote & xii. ynches. And euery Billet named a ſingle, to cõtaine vii. ynches about. And euery Billet named to be a caſt, to containe x. ynches about. And euery Billet named of ii. caſt, to cõtaine xiiii. ynches about. And euery Fagot bed to containe in length iii. foote, and the bond of euery ſuch fagot, to be of xxiiii. ynches about beſides the knot. And it ſhalbe lawfull for euery owner, without danger of any forfaiture, to make Billets of two caſtes. And all Billets of ii. caſtes to be made & put to ſale, ſhalbe of the aſſiſe herein contayned or more, & ſhall be marked onely within vi. ynches of the middeſt thereof. And euery Billet of one caſt to be made and put to ſale, ſhall be onely marked within iiii. ynches of the end therof, vpon payne that euery maker & euery ſeller that ſhall make any ſuch fuell or coles, and put the ſame to ſale, to forfaite for euery ſhid of Talwood, Billet, Fagot, or ſacke of

of Coles put to sale, lacking of the assise aforesaid, iii. s. iiii. d. to the Queene and I. to be recouered by A.B. P. I. wherein no W.E.P. 7. Edw. 6. 7.

2 ¶ No person or persons shal buy any fuel, Coles or wood, but onely such as wil burne or consume the same, or such persons as shal sell the same againe by retaile, to such as shall burne or consume the same for their owne occupying without fraud or couin, or Wharfingers or Bargemen, vpon paine to forfait to the Q. and I. treble value of all such wood, coles and fuel, as shalbe otherwise bought for any lucre againe, to be recouered by A.B. P. I. wherein no W.E.P. And no person or persons shal alter any marke or assise of any of the said fuel, marked or sised according to this statute, vpon paine of like forfaiture as is aboue said. 7. Ed. 6. 7.

No one shall buy fuel, but such as wil burne or consume the same.

3 ¶ No person or persons shal yeld, ne forfait any penaltie herein contained, vnles Action or suit be commenced for the same, within one whole yeere next after the offence thereof committed. And if any Cutter or maker as aforesaid, or other ꝑ shal forfait any summe herein contained, shall not be able to yeld such forfaiture or summe as is aforesaid, then such person thereof conuicted by witnesses or otherwise, to be set on a pillory in the next market towne to the place where he shall so offend, by a Iustice of peace, or any other of the Queenes officers, at xi. of the clocke vpon the market day, with a billet or fagot bounden to some part of his body, and so to be discharged of the said forfaiture. 7. Ed. 6. 7.

What woods shal not be conuerted to fuel for the making of Iron. S. Woods. 26.

Fugitiues ouer the Sea.

WHosoeuer passeth out of the Realme without the Queenes licence, (except Lords and great men of the Realme, & true and notable marchants, and the Queenes Souldiers) shall forfait to the Queene all his goods. And the maister or marriner of the Ship, or of the vessell in which he shall carrie beyond the Sea any person, (but only such as be before excepted,) without the Queenes licence, and is thereof conuicted, shall forfait to the Queene his said vessell. And if the Sercher or Warden of any port or passage doe through negligence, or in other maner suffer wittingly any person to passe forth of the Realme (other then is before excepted) or any gold or siluer in money, bulleon, plate, or vessel to be caried forth of ꝑ Realme, and is thereof conuict, he shall forfait to the Queene his office, and all his goods, and be imprisoned a whole yeere. 9. Ed. 3. 10. 5. R. 2. 2.

Departing the Realme without ꝑ Queenes licence.

Out of what port ech man ought to passe forth of the Realme.

See there, that no licence ought to be made to passe forth of the Realme, but only in one of the Portes of London, Sandwich, Douer, Southampton, Plimmouth, Dertmouth, Bristow, S. Botelph, Kingston vpon Hull, New castell vpon Tine, and the other portes and passages towardes Ireland, and the Isles pertayning to the Realme of England.

Departing the Realme, and not returning vpon warning.

2 ¶ If any subiect borne within the Queenes Dominions, or free denizen of this Realme, hath sithence the first day of ỹ Queenes raigne passed, or hereafter during the life of our soueraigne Lady Queene Elizabeth shall passe out of any her graces Dominions at any place whatsoeuer, into any Countrey of any forreine Prince or gouernour, without the Queenes speciall licence, by writing vnder the great Seale, priuie seale or priuie Signet, and doeth not returne into the Realme of England, and there yeeld his body to the custodie and ward of the Sherife of the Countie where he shall arriue, or to some of the Queenes priuie Counsaile, within sixe Monethes next after Proclamation made by the Queenes Maiestie vnder her great Seale, for the returne of his body, he shal forfait to the Queene the whole profites of all his landes and hereditaments during his life, whereof he is seised of any estate of freehold or inheritance in his owne right or his wiues, and also all his goods and cattels, And all the Ecclesiasticall promotions of euery spirituall person so offending shalbe vtterly voyd, and the Patron may present to the same as though the Incumbent were dead &c. But this act shal not extend to any knowen Marchant of England, Ireland, or the Dominions of the same, or to any of their knowen seruants, apprentices, or factors, or to any knowen masters of ships, Mariners, Sailers or Gunners, concerning their departure out of the same without licence, into any forreine dominion, for their onely trade of marchandise, so that such marchant, seruant, mariner &c. shal not or haue not attempted any thing contrarie to the duety of his allegeance, or to the preiudice or perill of the Queene, or the state of any of her dominions, and shal yeld his body vpon Proclamation for his returne. 13. Eliz. 3.

Spiritual persons.

Forf. for not returning, his licence being expired.

3 ¶ The like forfaiture shall he make which at any time sithence the first day of ỹ Queenes raigne hath departed, or during ỹ Queens life shal depart out of any of her graces dominions by her licence into any forreine countrey, and doth not returne and yeld his body as is aforesaid, within vi. Moneths next after the expiring of the time appointed by such licence, if he shalbe at his owne libertie & not restrained, or

ned, or not licenced for a further terme. 13. El. 3. And in both these cases during the time that the Queene shall haue the profits of the said fugitiues lands &c. she may let, set, and make graunts by Copy of Court rolle, vsual woodsales, and other things to all intents and purposes, as a tenãt Pur terme dauter vie lawfully may do. 14. El. 6. In what sort the Queene may vse fugitiues' lands.

But if any offendor that hath forfaited the profit of his lands will repent him of his offence, returne againe into England, yeld himselfe to the shirife of the shire, or to any one of the Queenes priuie Counsell, acknowledging his fault, submitting himselfe to the Queenes obedience, and fully reconcile himselfe to true religion established within this Realme, declaring his reconciliation to the bishop of the Dioces, and shewing the same openly by comming to diuine seruice appointed, and receiuing the holy Communion, then after one yeere expired, he bringing to the Lord Chauncelor or Keeper, a certificat from the Bishop of the Dioces, and the Curat of his Parish, of his vnfained reconciliation, shalbe restored to all his landes, and the profites thereof from thencefoorth to be due. 13. El. 3. Restitution vpon submission.

4 ¶ If any of the foresaid fugitiues doe by couin & fraud, make, cause, or suffer to be made any conueiance &c. of his lands &c. or any gift, graunt or other deuise of his goods & cattels, to the intent and vpon priuie confidence, that the profits thereof may be imployed in such forme, and to such vses as he shall appoint, and that be found by office to be by couin &c. the said conueiances, gifts and deuises shalbe (as touching the Queenes interest and against her grace) vtterly void. And she shall haue the said lands, goods &c. as if the Offendor were thereof actually seised or possessed, Sauing to al other persons their heires, assignes, and successors, other then to the said fugitiues and their assignes all such right, title, interest, commoditie &c. as any of them shall haue in the said lands before the departing or not returning of such person. 13. Eliz. 3. Fraudulent gifts made by fugitiues, be void against the Queene.

5 ¶ If any person to whom any estate, graunt, leale, or other conueyance is, or shalbe made by any fugitiue, of any lands, goods &c. do not within iii. Monethes next after Proclamation made in the Queenes name, vnder the great Seale in any Countrey where the same lands &c. doe lye, truely declare vpon his oth, either before the Queenes Commissioners for that cause authorised, or before the Barons of the Eschequer, or some of them, to what vse and intent such estates, graunts, and conueiances were made, according to the trueth without concealement, he shal forfait to the Queene xx. li. and also be imprisoned during her pleasure. And if any person being sent The graunte of fugitiues' lands shall vpõ request declare the consideration.

for to be examined by the Barons of the Eschequer, or by Commissioners authorized vnder ỹ great seale, to inquire of fugitiues lands and goods, shall not appeare at the day and place to him appointed, hauing no lawful excuse to the contrarie, or after apparance shal depart without licence of such as haue power to examine him, or shall refuse to answere to such interrogatories as shalbe ministred vnto him, touching fugitiues lands or goods, and the circumstances and dependants of the same, then he shall pay vnto the Queene such fine for the said contempt, as shalbe assessed by such before whom the said examination should be made. 13.El.3.

Prouision for a Fugitiues wife and children.

6 ¶ If any person by reason of his conscience departeth out of the Realme without licence, or hauing licence, tarrieth after the time appointed by Proclamation be expired, And did not before nor after his departure, conspire, and by open Acte declare any euill minde to the Queene, her estate or quiet gouernment: Then the Lord Chauncelor or Keeper, vpon petition made shall appoint for the maintenance of his wife and children or any of them a reasonable portion of his landes, not vnder the iiii. part, nor aboue the third, of the lands forf. to the Queene by this act, during the life and absence of the fugitiue, so that the said Fugitiue did not make sufficient conueiance and prouision for them before, by the iudgement of the Lord Chauncelor or Keeper. 13.El.3.

Noble men departing the Realme.

7 ¶ If any Noble man being a peere of this Realme, do depart the Realme, whose departure shall not be contrarie to the lawes and statutes of this Realme, then he shall not incurre any paines or forfaiture prouided by this act, vnlesse he be commanded by ỹ Queenes letters, vnder her priuie Seale or signet to returne, And after such warning do not repaire into this Realme, according to the tenour of the same letters within viii. Monethes after the deliuerie of such letters vnto him, or if such letters shall not be deliuered vnto him, so as he may wel returne within viii. Monethes after the sending thereof, then vnlesse he do returne within other viii. Moneths next after Proclamation made, as is aboue appointed. And if any such Noble man, which shall so depart out of this Realme, and which doeth not before his departure nor after, practise or deuise any thing against the Royall person of the Queene, or the quiet estate of any her Dominions, doe returne into this Realme, and yeld himselfe to ii. of the Queenes priuie Counsell, acknowledging his offence, then he shalbe from thencefoorth restored to al the rents and profits of al his lands and hereditaments, which from thencefoorth should growe due vnto the

Queene

Queene by reaſon of this act, and then the Queenes title to the profits of his lands by vertue onely of this Act, ſhal ceſſe. 13. El. 3.

1 That an Engliſh man ſworne ſubiect to a forreine Prince, ſhall pay all impoſicions as a ſtranger. S. Cuſtome, &c. 12.

2 That none ſhall depart for any Conuocation or aſſembly for religion beyond the Sea. S. Conuocation. 3.

Fuſtians.

WHoſoeuer doeth vſe Irons on Fuſtians vnlawne, wherewith to breake of the nappe and cotton of the ſame, or any inſtruments, or other vntrue ſubtil meane, or ſleighe, vpon any Fuſtian within this Realme, but only the broad ſheares, ſhall forfait for euery default xx. s. to the Queene and Informer, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. The Maior and Wardens of Shearmen of London, may enter and ſearch the workemanſhip of all perſons occupying the broad Sheare, as wel Fuſtians, as cloth. 11. Hen. 7. 27.

Gold, Siluer, and Goldſmithes.

IF any ſinour of Gold and Siluer, or partor of the ſame by fier or water, doth alay any fine Siluer or Gold, or doth ſell the ſame in any other wiſe, or to any other perſon, but only to officers of Mints, Changes, and Goldſmithes within this Realme, for augmentation, and amending of Coyne and Plate, (the ſaid Officers and Goldſmithes anſwering for the ſame as it is worth,) Or if any ſinour or partor doth ſell to any perſon whatſoeuer, any maner of Siluer in maſſe moulted and alayed, or if any ſinour of ſiluer doth not put his generall marke vpon his fine Siluer, he ſo offending ſhal forfait the ſame Gold or Siluer or the value thereof to the Queene, and him that proueth the ſame. All fine Siluer which is parted & fined, muſt be made ſo fine that it may beare xi. d. waight of alay, and yet it will be as good as ſtarling. 4. H. 7. 2.

Alaying of Gold and ſiluer, and ſelling the ſame.

The fineſſe of ſiluer.

2 ¶ If any Goldſmith melt or alay any fine Siluer, to be for any workes or other intent, but only for making of Amelles for diuers workes of Goldſmithrie, and for amending of Plate to make it as good as ſtarling or better, he ſhall forf. the ſame Siluer or the value thereof to the Queene and him that proueth the ſame. 4. H. 7. 2.

Melting or alaying of ſiluer.

3 ¶ If any Goldſmith, Jeweler, or other that worketh harneis of ſiluer within the Citie of London, doeth ſet any of them to ſale within the ſame Citie before it be touched with the Touch, and alſo

Harneis of Siluer ſhalbe touched and marked.

signed with the workemans marke, knowen to the wardens of the same Mysterie, or doth sel any workemanship of siluer without it be as fine as ỹ starling, (except it neede Sowder, which shalbe allowed according as the same is necessary to be wrought) he shall forfait the double value thereof. 2. Hen. 6. 4.

Harneis as fine as the starling.

4 ¶ If the keeper of the Touch, doeth touch any harneis of siluer with the Leopards head, which is not as fine in alay as the starling, he shal forf. the double value of the siluer so touched. 2. H. 6. 14.

5 ¶ If any Goldsmith, worker of siluer, or keeper of touches in the Cities of Yorke, New Castel vpon Tine, Lyncolne, Norwich, Bistow, Salisbury or Couentry (which haue diuers touches) be set to sale, or touch any Siluer in other maner then is before ordeined for London, the offendor shall forfait double the value &c. 4. Hen. 6. 14.

Working of siluer not so fine as the starling.

6 ¶ If any Goldsmith, or other worker of Siluer, within the Realme of England, where no touch is ordeined, doth worke any siluer, except it be as fine in alay as the starling, he shal forfait the double value thereof. And euery such Goldsmith or worker of Siluer, must set his signe or marke vpon the same, before he put it to sale. 2. Hen. 6. 14.

Gilding.

7 ¶ Whosoeuer gildeth any shethes or mettall but Siluer, and the ornaments of the Church, or layeth any siluer vpon any mettall, but onely vpon Knights spurres, and the apparell which belongeth to a Baron, or one aboue the estate of a Baron, shall forfait to the Queene tenne times so much as the thing gilt is of value, and shall also be one yeere imprisoned. 8. H. 5. 3. But artificers may worke ornaments of the Church of Copper and Latten, & gild or Siluer the same, so that in the foot or other part, the Copper & Latten be plain, that a man may see whereof it is made. 5. Hen. 4. 13. And whosoeuer doth gild any Siluer ware other then of the Alay of ỹ English starling, shal forfait to the Queene the value thereof. 2. Hen. 5. 4.

None shall make both white Vessel and gild.

8 ¶ No Goldsmith making white vessell shall medle with gilding, nor any vsing gilding shal make any white vessel, vpon paine of forfaiture of the value of the vessel so made or gilt. 37. Ed. 3. 7.

Vessel of siluer and gold shalbe assayed & touched.

No stones shal be set in gold but such as be naturall.

9 ¶ If any Goldsmith doth suffer any vessel of Gold or Siluer to depart from him before it be assayed by the wardens of the same Mysterie, and touched with the Leopards head, or doth set any stone in Gold, except it be naturall, he shalbe imprisoned and make fine at the Queenes pleasure. 28. Ed. 1. 20.

10 ¶ No Goldsmith shall worke, sell, exchange, or cause to be wrought,

bought, sold, or exchanged any Plate or other Goldsmithes wares of Gold, lesse in finesse then that of xxii. Carrottes, & shal vse no Souther, Amel, nor other stuffings whatsoeuer in any of their worke more then is necessary for the finishing of the same, nor shall take aboue the rate of xii. d. for the ounce of Gold (besides the fashion) more then the Buyer shal or may be allowed for the same at the Queenes Exchange or Mint, vpon paine to forfait the value of ỳ thing so sold or exchanged, to the Queene and partie greeued, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 18. El. 14.

The finesse of Goldsmithes wares of gold.

xii. d. an ounce for gold besides the fashion.

11 ¶ No Goldsmith shall make, sell, or exchange in any place within this Realme any plate, or Goldsmiths wares of Siluer, lesse in finesse then that of xi. ounces two penny waight, nor take aboue the rate of xii. pence for euery pound waight of Plate or wares of Siluer (besides the fashion) more then the Buier shall or may be allowed for the same at the Queenes exchange or Mint. Nor shall put to sale, exchange, or sell any Plate or Goldsmithes worke of Siluer, before he hath set his owne Marke to so much thereof, as conueniently may beare the same, vpon paine to forfait the value of the thing so sold, or exchanged, to the Queene and partie grieued, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 18. El. 14.

The finesse of goldsmithes wares in siluer.

The goldsmith shall set his marke to his worke.

12 ¶ If any Goldsmith shall make any Goldsmithes worke or Plate, and the same shalbe touched, marked, & allowed for good by the Wardens or Maisters of that mystery, and in the same there shal be found any falsehood or deceipt, then the Wardens and Corporation of that mysterie for the time being, shal forfait and pay the value of the thing so exchanged or sold, to the Queene and partie grieued, to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 18. Eliz. 14.

Wardens allowing faulty ware.

1 That there shalbe no more giuen for coyned Gold or Siluer, then it is currant by Proclamation. S. Money. 1.

2 That Gold or Siluer may not be deliuered to any Alien. S. Money. 2.

3 That no man shall transport Gold or Siluer. S. Money. 3.

4 Who may weare any Ornament of Gold, and who not. S. Apparell. 45.

Gunnes and Crossebowes.

If any person do shoot in any Crossebow, Handgunne, Hagbut, or Demihake, or keepe any of them in his house, or els where, except he, some other person to his vse, hath in his owne or in his wyues right, landes, tenements, fees, annuities, or Offices to the yeerely

Keeping or shooting in gunnes.

value of C.li. he shall forfeit for euery offence x.li. to the Q. and I. to be recouered by A.I.&c. wherein no W.&c. E.P.&c. 33.H.8.6.

The length of a handgunne, hagbut, demyhake.

2 ¶ Euery person which shal shoote in, carry, keepe, vse, or bear in his house, or els where, any handgunne, other then such as shalbe in the stocke and gunne of the length of one whole yard, or any hagbut or demyhake, other then such as shalbe in the stock and gunne of the length of iii. quarters of a yard, shall forfait for euery offence x.li. to the Q. and I. &c. And euery person hauing landes, fees, annuities, or offices to the yeerely value of C. li. may seise and take euery such handgunne, hagbut, and demyhake, being of shorter length, then is before limitted, from the Offendor, and also euery Crossebow from any person not hauing lands, offices &c. to the value of C. li. by yeere and retaine the same to his owne vse, which handgunne, hagbut or demyhake, he which seiseth them, must breake within xx. dayes after seisure, or els he shal forfeit for euery of them xl.s. to the Q. and I. &c. to be recouered by A.I.&c. wherein no W.&c. E.P.&c. 33.H.8.6.

Who may take the gunne or Crossebowe from the offendor.

Carying a crossbow bent or gun charged.

3 ¶ Whosoeuer shall carry or haue in his iourney on foote or horsebacke any Crossebow bent, or gunne charged, or furnished with powder, fire, or touch for the same, except it be in time and seruice of warre, other then such as haue lands, annuities, fees, or offices, to the yeerely value of C. li. shal forfait for euery offence x. li. to the Q. and I. &c. to be recouered by A.I.&c. wherein no W.&c. E.P.&c. 33.H.8.

Shooting in a citie or market towne at a thing at large.

4 ¶ He that doth shoot with a handgunne, demyhake, or hagbut at any thing at large, within a Citie, Borough, or Market Towne, or within a quarter of a mile of either of them, except it be at a Butte or banke of earth in a place conuenient, or for the defence of his person or house, shal forfait for euery shoot x.li. to the Queene and I. 33.H.8.6. And if any person vnder the degree of a Lord of the Parliament doth shoote in a Handgunne in a Citie or Towne, at any marke vpon a Church, house, or Douecote, he shall forfait for euery offence x.li. and be imprisoned iii. Monethes. 2.Ed.6.14.

The maister cõmaunding his seruaunt to shoote.

5 ¶ Whosoeuer doth commaund any of his seruants to shoote in a Crossebowe, handgunne, hagbut, or demyhake, of the masters or other persons, at any Deare, Foule, or other thing, except it be at a Butte, or banke of earth, or in time of warre, shall forfait for euery offence, tenne pound to the Queene and Informer, to be recouered by A.I.&c. wherein no W.&c. E.P.&c. But if the Queene doe not commence her suit within one yeere, and euery other person within halfe a yeere next after the offences committed, for any penalties or forfaiture to any of them giuen by this Statute, they shalbe excluded of their

of their Accions and suites, and the offendor clerely discharged. 33.H.8.6.

6 It is lawfull for euery person to arrest, or attach any person, which he seeth or findeth offending contrary to the effect of this act, and to bring him to the next Justice of peace in the same county, which Justice vpon due examination and proofe, may commit the offendor to the next gaole, there to remaine vntill he hath payd such penaltie, as he hath forf. by this statute, of which penaltie the Queen shall haue the one halfe, and the said bringer the other. 33.H.8.6. See Justices of peace. 44.

Euery man may arrest an offendour.

7 But it is lawfull to all gentlemen, yeomen, and seruingmen of euery lord, and of al knights, Esquiers, & gentlemen, and to all the Inhabitaunts of Cities, Boroughes and market Townes of this Realme of England, to shoote with any handgunne, demyhake or hagbut, at any But or Banke of earth, onely in place conuenient for the same, so that euery of them be of the seuerall lengthes aforesaid and not vnder. And it is lawfull to euery Lord, knight, Esquire and gentleman, and the inhabitants of euery Citie, Borough, and market towne, to haue and keepe in euery of their houses anye handgunne, of the length of one whole yard, or any hagbut or demyhake of the legth of three quarters of the yard, and not vnder, to the intent to shoote with the same at a Banke of earth, or But only. And euery person which dwelleth in any house, being distant two furlongs from any Citie, Borough or Towne, may keepe in his house for the onely defence of the same, Handgunnes, Hagbuts, and Demyhakes of the seuerall lengthes aforesayde, and not vnder, and may vse to shoote in the same, at anye Butte or Banke of earth, neere to his house and not otherwise, And euery person appointed by the K. to keepe or receiue anye Crosbowes or Handgunnes forfeited, or taken within the precinct of her Forrestes, Parkes or Chases, may lawfully retayne the same vntill her further pleasure be to him declared. And the makers of Crosbowes, and Handgunnes may lawfully keepe Crosbowes, Handgunnes, Hagbuts, and Demyhakes in their houses, & shoot in the same onely for assaying of them at a Butte or Banke of earth in place conuenient, and not otherwise, so that the same be of the seuerall lengthes aboue limitted. And it shal be lawfull to such persons and their seruants which be charged by the statute of 4. and 5. P. and M. to fynde any hagbut, to shoote at such lawfull markes as be herein specified, or at their owne proper pryces, so that they carry not, or vse not the same hacquebut in any

Who may keepe or shoote in gunnes.

high

high way, except it be comming or going to or from the musters, or marching towards, or from the defence of the Realme. 33. Hen. 8. 4. & 5. P. & M. 2.

To these persons this stat. extendeth not.

8 ¶ This act shall not extende, or be preiudicial to any marchants hauing any Crossebowes, handgunnes, hagbuttes or demihakes to sell, and to none other vse, so that the same be of the seuerall lengths aboue limitted, and not vnder. Neither shal it extēd to any of the Queenes subiects, whose houses be not aboue fiue mile distant from the Sea coasts, or which be inhabiting within xii. miles of the Borders of Scotland, or which be inhabitants of the Isles of Gersey, Garnesey, Anglesey, Wight, and Man. But it is lawful for euery of the said inhabitants to haue, and vse their handgūnes, hagbuttes and demyhakes of the lengthes aboue said within the saide limits of Isles, so that it be at no Deare, Shoueler, Phesant, Partridge, wylde Swanne, or wilde Elke. Neither shall this act extend to any owner of any Shippe, for hauing or keeping of any handgunne, hagbut, or demyhake of the seuerall lengthes aboue expressed, or vnder, onely to be had & occupied within any their ship or other vessel, or for the carriage and recarriage of them on land, or keeping them for the only exercise of them within their said Shippe or vessel. Neither shall this act be preiudiciall to any seruant or person that shall bende, beare, carrie, charge, vse, or assay any Crossebow, handgunne, Demyhake, or hagbut of the lengthes afore saide, by the commaundement of his Lord or Master, so that he do not shoot at any Fowle, Deare or other game. Nor to any such seruant or person, that shall beare or conuey any Crossebowe, Handgunne, Hagbutte or Demyhake of the lengthes afore said to any place by the commaundement of his Lord or Master that may shoote, to be repaired, amended, deliuered or assayed, so that the same seruant or person haue ready to shewe to euery person requiring the sight thereof, one licence in writing, Sealed or subscribed by his said Lorde or Master, to carry the same Crosbow &c. to be amended, assayed, or deliuered. 33. H. 8.

Placards.

9 ¶ If anye person obteine of the Q. her heires or successors any Placard, licence or bill assigned to shoot in a Crossebow, handgunne, Hagbutte, or Demihake, contrary to the purport of this act then there shalbe contained therein at what beastes, or other fowle he shall shoote, or els the same Placard &c. shalbe voyde. And euery such person before he doth shoote, shalbe bound in the Chauncery in Recognisance in xx. pound to the Queenes vse, that he shal not shoote at any other beasts or fowles, then is specified in his Placard, licence or bill

or bill assigned. And all Placards, licences and billes made to anye person not bound shalbe void. 33. H. 8. 6.

10 Whosoeuer shall shoote in any place, any Haileshoote or more pellets then one at one time, shall forf. ten pound, and be imprisoned three moneths. 2. Ed. 6. 14. Haylesshoote.

11 All persons auctholised to shoote, or otherwise, are bound vnder the paine of xx. s. a shoote in any Handgunne, or halfehake, to present their names to ỹ next Justice of peace of the shire, if he dwell in the country, or to the Maior or head officer, if he dwell in a towne corporate, to the intent the Clerke of the peace may keepe a Booke of the names of all such, that the Queene may knowe how many a-bout persons she hath in ech cõnty for that seruice, & the Justice, Maior, & head officer are bound in the like pain to receiue their names. 2. Ed. 6. 14. The names presented of those which shoot in gũnes.

1 Where, in what case, and in what maner it shalbe lawfull for a gunner to take an apprentice. S. Labourers. 30.

2 The punishment of a gunner which taking prest wages to serue the Queene, departeth from his Captaine. See Felony. 23. Mariner. 1.

Hattes, Cappes.

Euery person aboue the age of vi. yeeres inhabiting and abiding within any of the cities, boroughes, townes, villages or hamlets of this Realme, shall vse and weare vpon the Saboth and holy day (vnles in time of his trauel out of the said Cities, Townes &c) vpõ his head one cappe of wool, knit, thicked, made and dressed in England, and onely dressed & finished by some of the science of cappers, vpon paine of forf. for euery day not so wearing, iii. s. iiii. d. (except Queens, Ladies, and gentlewomen, all noble personages, euerye Lord, Knight, and gentleman of the possessions of xx. marke land by the yeare, and their heires, and such as haue borne office of worshippe in any Citie, Borough, Towne, Hamlet, or shire, and such as haue been wardens of the worshipfull companies of London.) 13. El. 19. Wearing of Cappes vpon holy dayes. Persons excepted.

If any childe, seruant, or ward aboue the age of vi. yeres, and vnder xvi. shal offend contrary to this stat. his Parent, Gardein, Master or master, with whome he shall remaine, or dwell, shall forfeit the penaltie aforesaid, 13. El. 19. S. Iustice of peace. 45. Leets. 12. Child, Seruãt or ward offending.

Whosoeuer doth by him selfe, or any other, make or worke any felt or hat, of, or with any forrein wool, or stuffe, (vnles such person hath first bene apprentice, or couenant seruant to the mysterie of hat or hatte making, by the space of seuen yeeres at the least) shall forf. None shall worke hats, but which haue bene prentice.

forf. all such hattes or felts which he shall make or worke, & v.li. by euery moneth that he shall so continue. But euery person that was maker or worker of hats at the time of making the stat. may so continue during his life, though he were not bound prentice for viii. yeres 8. El. 11. And whosoeuer doth by him selfe, or by his seruant or apprentice, worke any felts, or thrummed hattes, or occupy the mysterie of making of felts or thrummed hattes within the citie of Norwich, or county of Northfolke (vnlesse he be admitted so to doe by the Maior, Recorder, Steward and two Justices of peace of the said Citie, or by iiii. of them, or that he hath bene apprentice to the said occupation by the space of vii. yeeres, or doeth make any hattes or felts, or occupie the mysterie thereof in any place out of the City of Norwich within the County of Norfolke, but onely in a corporate market towne) shall forf. the same felts or hattes, and also x.s. for euery halfe dozen of them made contrary to the statute. But if the Maior, Recorder, Steward, or Justices of peace of the City of Norwich, take any reward for admitting any person to occupie the said art, he shall forf. for euery offence v.li. to the Q. and I. to be recouered by Accion, Information &c. wherein no W. &c. P. or Imparlance plea &c. 5. Ed. 6. 24.

Making hats in Norwich & Norfolke.

Cappes of felt or of wollen cloth not knit.

4 ¶ Whosoeuer shall make, sell, or cause to be made, or sold any cappe, or other thing of felt but onely hattes, or shall make, sell or occupie any Cappe, of wollen cloth not knitte, or shall dye or &c. any such with barke or swarfe, but onely with coperas and gall, or with woad and madder, or shall thicke or full in any mil, any cap vnless the same be first wel scowred and closed vpon the banke, & halfe thicked at the least in the footestocke, shall forf. for euery offence x.s. to the Q. & I. vsing cap making, wherein no W. &c. E. P. &c. 8. El. 11.

Dying, thicking or fulling of cappes.

Velvet hats or cappes.

5 ¶ If any man vnder the degree of a knight, or a Lords sonne doth weare any hatte or vpper cap of Velvet, or couered with Velvet, he shall forf. x.s. to the Queen & I. vsing the feat of cap making wherein no W. &c. E. P. &c. 8. El. 11.

How many apprentices Hatters may take.

6 ¶ If any maker or worker of hattes, doth take about two apprentices at one time, or doth take those for any lesse time then vii. yeres at the least, he shall for euery apprentice so taken be committed to prison, and remaineth imprisoned in the common Gaole without baile or mainprise, and be from thence forth disabled to haue any more apprentices but one at a time, & also such taking of apprentice is void. But this shall not charge any felt or hatmaker for setting a worke his owne children in his owne house, &c. 8. El. 11.

7 ¶ Whosoe

7 ¶ Whosoeuer selleth any woollen cappe or bonnet made in any partes beyond the sea, aboue the price of iii.s. any hat aboue x.d. any single crowned woollen cappe, or single woollen nightcappe made beyond the sea, aboue vi.d. shall forf. for euery cappe, hatte and bonnet so solde, xl.s. to the Q. & I. to be recouered by A.I. &c. wherein no W. &c. E.P. &c. But the buyer or wearer of any such bonnet, hatte, or cappe, may lawfully detaine the same, without seisure or other forfeiture. 21.H.8.9. 1.M.11.

The prices of wolle cappes, and hats made beyond the sea.

8 ¶ If any wollen bonets, hats, or caps made beyond the sea, be brought from any parts beyond the sea, into any of the Queenes dominions, the owner thereof or his seruant shall bring them to the Customer of the Citie, Port, place &c. where they shall be layed on land, discharged, & there enter into ỹ customers books ỹ custome of them, & pay the same, as by the lawes & statutes of this realm he ought to doe, or els he shall forf. them or the value of them. 1.M.11.

Custome paied for hats and cappes.

9 ¶ If he which bringeth any such hats or caps from beyond the sea, will carry any of them awaye from the place where they be landed on lande, before they be solde (according to the prices limited in the statute. 21.H.8.) by the Customer of the Port &c. and the chefe officer of the Towne, Port &c. where they be laid on lande, he shall forf. for euery hatte or cap remoued or otherwise solde xl.s. to the Q. and I. to be rec. by A.I. &c. wherein no W. &c. E.P. &c. 1.M.11.

Cappes and hattes solde by the Customer and chiefe officer of the Towne.

10 ¶ If the customer, or his deputie of the Citie, port, hauen or towne, where such bonets, caps or hats shall be brought into any of the Queenes dominions, from any of the parties beyond the sea, doe not within two dayes after the entrie of the same cappes or hattes in bookes, giue notice of the same to the Maior, Sheriffes, Bayliffes or other chief Officers of the said Cities or portes, he shall forf. C. li. 1.M.11.

The Customer shal giue notice of the hattes & cappes to the Maior &c.

¶ The Customer of the said hauen or port, or his deputy, with the Maior or his assigne, or chiefe officer of the place where Caps or hats brought from beyond the sea shalbe laid on land, in the presence of the owners (if they wilbe present, or els in their absence) shall sell the caps, hats, and bonets to such persons as will buy them (so that they sell not aboue a dozen to one person) at such prices as is limited (21.H.8.9.) & not aboue, & shal deliuer the money to the owners of the same hats at such time as they wil receiue the same. And if the customer or Maior, chiefe officer &c. shalbe remisse or negligent in the sale, he shall forf. xx. li. to the Q. and I. to be recouered by Action &c. wherein no W. &c. E.P. &c. 1.M.11.

The Customer & chiefe officer shall sell the hats & cappes brought from beyond the Seas.

12 ¶ If

No man shall buy aboue xii. hattes or caps.

12 ¶ If any person by fraud, couin, collusion, or colour, [illegible] buy, or bargaine for any more hattes or cappes (being made out of the Realme) at one time, or of one man, then one dozen, he shall [illegible] for euery cappe or hatte so bought xl.s. to the Q. & I. to be recouered by A.I.&c. wherein no W.&c. E.P.&c. 1.H.11.

Buying of hattes or caps wrought beyõd the Sea.

13 ¶ If any of the Queenes subiects borne vnder her obeysance (except Lords and Knights) doth buy any hattes or cappes made redy wrought in any part beyond the sea, he shall forfeite for euery such cappe and hatte xl.s. to the Q. & I. to be recouered by A.I. wherein no W.&c. E.P.&c. 3.H.8.15.

Cappes shalbe well wrought and coloured.

14 ¶ If any capper, hatter, or other person doth sell, or put to sale any hattes or cappes made within this realme, without they be sufficiently wrought and of a sufficient colour in euery point after the goodnes and finesse of the wool whereof they be made, [illegible] forf. for euery hatte or cappe so sold vi.s. viii.d. 3.H.8.15.

The prices of hattes & caps.

15 ¶ If any hatter, capper or other person by him selfe or any other to his vse, will take of any of the Queenes subiects for any hatte of the best making not ingrayned aboue ii.s. or for any cappe made of the finest Lemster wooll aboue iii.s. iiii.d. or for any cappe made of the second sort of Lemster wooll aboue ii.s. vi.d. or for any cappe made of the third sort of Lemster wooll aboue xx.d. or for any cappe made of the fourth sort of Lemster wooll aboue xii.d. or for any cappe made of the finest sort of Cotswold wool aboue ii.s. or for any cappe made of the second sort of Cotswold wool aboue [illegible] shall forf. for euery hatte and cappe, (for which he shall take more) xl.s. to the Q. & I. to be recouered by A.I.&c. wherin no W. [illegible] P.&c. But caps and hattes of other wool shal be solde, as the buyer and seller can agree. 3.H.8.15.

The markes of cappes.

16 ¶ The Cappe made of the finest Lemster wool, shall be marked in the lining with the letter L. the cappe of the second sort of Lẽster wool with L.R. The cap of ỹ finest Cotswold wool with the letter C. The cap of the second sort of Cotswold wool with [illegible] 3.Hen.8.15.

1 That Hatmakers dvvelling in Norwich, may buy middle yarne to make hattes with. S. Yarne. 1.

Haukes.

Taking haukes or Haukes eggs out of an others ground.

WHosoeuer doth wrongfully by night, or day, take away any Hauke or Haukes, or the egges of any of them, out of the woods or ground of any person (not hauing lawfull auth[illegible]

Kenet so to do) and thereof is lawfully conuicted at the suit of the Q. or the P. grieued, shall pay to the party greeued his treble damages, suffer imprisonment by the space of three Moneths, and then find sufficient surety for his good abearing for the space of vii. yeres after, or els remaine in prison vntill he hath found sureties. 5. Eliz. 21. S. Iustice of peace. 34.

How eche man shall vse the hauke which he taketh vp.

2 ¶ Whosoeuer findeth a Faucon, Tercelet, Laner, Laneret, or other hauke which the owner thereof hath lost, shall immediately bring the same to the Shiriffe of the County, which shall make proclamation in al the good townes of the cõty, ỹ he hath such a hauke in his custody, and if the owner which lost the Hauke or any of his seruants come to challenge it, and proueth that it is his masters, he shall pay for the costs and haue it. And if none do come within iiii. moneths to challenge it, then the Shirife shall haue the Hauke, accounting with him that tooke it vp, if he be a simple man, and if he be a gentleman and of estate to haue a Hauke, then the Sherife shall deliuer him the Hauke, taking reasonable allowance for the keeping thereof. And whosoeuer taketh a Hauke, and the same concealeth frõ the owner, or from his Fauconers, or taketh away a Hauke from the owner, or stealeth a hauke and carrieth it away, not obseruing the said ordinaunces, & is thereof attainted, shal be vsed as a felõ that hath stolen a horse or other thing. 34. Ed. 3. 22. 37. Ed. 3. 19.

Taking the egs of haukes or Swannes.

¶ Whosoeuer doth take or cause to be taken vpon his owne ground, or any other mans, the egges of anye Faukon, Goshauke, Laner, or Swanne out of the nest, shalbe imprisoned a yeere & a day, and make fine at the Queenes pleasure. 11. H. 7. 17.

The taking, fearing & killing of haukes.

¶ Whosoeuer taketh any Eirer, Faukon, Goshauke, Tassell, Laner or Laneret, in his warren, woods, or other place, or purposely driueth them out of their couerts, accustomed to breed in, or causeth them to go to other couerts to breede in, or killeth them for any hurt by them done, shall forfeit. xl. li. to the Q. & I. 11. H. 7. 17.

The bearing of English hauks.

¶ Whosoeuer doth beare any Hauke of the breede of Englãd, as Nyesse, Goshauke, Tassell, Laner, Laneret, or Faukon, shal bring the same to the Q. 11. H. 7. 17.

Bringers of haukes from forren regions shall bring a certificat.

¶ Whosoeuer bringeth any Nieste Hauke, or Haukes, from parts beyond the Sea, must bring a certificat vnder the Custoshealle of the Port where he first landed with the same Hauke and he that commeth from of Scotland, then vnder the seale of Warden or Lieutenant of the March which he came through, testifying that the same Haukes be of the partes beyonde the Sea,

or

or Scotland, or els he shall forf. to the Q. ỹ same haukes. 11. H. 7. 1

1 That ech man may haue Eiries of haukes within his own woods, which be within any Forest. S. VVoods. 24.

Hauens and Riuers.

No rubbish shalbe cast into any Hauen, Rode, Chanel, or riuer.

IF any person doth cast or vnlode, out of any shippe, Craier or other vessell being within any Hauen, Rode, Channel, or Riuer, flo or rūning to any port towne, or to any citie, borough or towne, in any of the Queens dominions, any balast, Rubbish, Grauel, other wrecke or filth, but only vpon the land, aboue the ful sea m he shall forf. for euery offence v. li. to the Q. & I. to be rec. by A. wherein no W. fc. E. P. fc. 34. H. 8. 9.

Fastening netts ouer Riuers.

2 ¶ Whosoeuer fasteneth to any postes, botes, ancres, things any maner of nets ouerthwart any Riuer, there to co shall forf. for euery offence. v. li. 2. H. 6. 15.

Hempe, Flaxe.

Watering of hempe & flaxe.

WHosoeuer doeth water any Hempe or Flaxe in any running water, Streame, Brooke, or other common where beasts be vsed to be watred, but onely on the grounde, for the same ordeined, or els in his owne seuerall pondes, sh for euery offence xx. s. to the Q. & P. grieued, or I. fc. to be rec. I. fc. wherein no W. fc. E. P. fc. 33. H. 8. 17.

Sowing of hempe and flaxe seedes.

2 ¶ Euery person inhabiting in any county or place wit Realme, hauing lx. acres of arable land or pasture apt for til which county, or part of coūty, the Queens Maiesty by proc made sithence the Parliament holden in the v. yere of her R hereafter to be made, hath or shall publish it to be cōmodious common welth, to sow flaxe or hempseed) shal yeerely sow nable time one whole acre or lesse, as by the said proclamatio be appointed, with hempseed or flaxe seede, vpon paine of forf. li. for euery default. 24. H. 8. 4. 5. El. 5.

Herons.

Taking of olde Herons.

IF any person without his owne ground, doth kill, take, or be taken, any Herons by meanes of any craft or engyn it be with Hawking or long Bow,) he shall forf. for euery taken or killed vi. s. viii. d. to the Q. & I. to be recouered by A. wherein no W. fc. E. P. fc. 19. H. 7. 11.

Taking yong Herons.

2 ¶ If any person without his owne ground, doth take

yong Herons out of the nest, without licence of the owner of the ground where the said nest is, he shall forfaite for euery Heron so taken out of the nest x.s. to the Queene & I. to be rec. by A. of debt, wherin no. Wl. rc. E. P. rc. 19. H. 7. 11.

High wayes.

Surueiors for the amendement of high wayes.

The Constables and Churchwardens of euery parish within this Realme, shall yeerely vpon the Tewsday or wednesday in Easter weeke, cal together a number of the Parochians, & then shal chuse two honest persons of the Parish to bee Surueiors for one yeer, of the worykes for the amendement of the high wayes in their parishe, leading to any market Towne, the which shall order & direct by their discretions, the persons and carriages appointed for the worykes, And if any of the persons so named to be Surueiors shall not take vpon him the execution of the said office, he shall forf. x.s. 2. E. 3. P. & M. 8.

vi. daies for the amending of wayes.

¶ The Constables and Churchwardens shall then also appoint vi. dayes for the amending of high wayes before the Natiuitie of Saint John Baptist, and shall openly in the Church vpon the Sunday after Easter, giue knowledge of the same vi. dayes. And euery person hauing a Draught or Plow, which doth not send and come at euery day & place appointed for the amending of high wayes in that Parish, one wayne or cart furnished after the custome of the countrey, with Oxen, Horses or other Cattell, and other necessaries meete to carry things conuenient for that purpose, and also two able men with the same, for euery plowe lande in tillage or pasture which he hath, shall forf. for euery draught making default x.s. 2. E. 3. & M. 8. 5. El. 13.

Each mans charge for a Plow land.

Two men in stead of a carriage.

¶ If any of the carriages of the Parish shall not be thought needful by the Surueiors to be occupied vpon any of the said daies, then such person as shoulde haue sent carriage, shall send for euery carriage so spared, two able men there to labor for that day, vpon paine to forf. for euery man not sent xii. d. 2. E. 3. P. & M. 8. 5. El. 13.

Cottiger.

¶ If any Houlholder, Cottiger or Labourer of the parish, hauing no Plough or Draught able to labour, and being no hired seruant by the yere, doth not by him selfe, or one sufficient labourer for him, vpon euery of the said vi. dayes, woorke in the amendement of the high waies, he shall forf. for euery day making default xii. d.

Necessary tooles.

Such persons and carriages shall bring with them Shouels, Spades, Mattockes, and other tooles, and doe such worke as they shall be appointed vnto by the Surueiors, by the space of viii. houres in

euery of the ſaid daies (except they be otherwiſe licenced by the ſame Surueiors or one of them) 2.E.3.P.& M.8.

Taking of other mens rubbiſh.

5 ¶ It is lawfull for euery Surueior, for the amending of the wayes within the Pariſh where he is ſurueyour, to take and carry away ſo much of the Rubbiſh or ſmalleſt broken ſtones which he ſhall find ready digged in any Quarrey, beeing within the Pariſh where he is Surueiour, as by his diſcretion ſhalbe adiudged neceſſarie for the amending of the wayes, without licence, controlment or impeachment of the owner. And for default of a Quarrey found in the Pariſh, or of rubbiſh not found in ſuch Quarrey, it is lawful for euery ſuch Surueior to gather ſtones vpon any lands or groundes within the Pariſh, meete to be vſed to ſuch purpoſe,

Gathering of ſtones.

Digging for grauel.

and likewiſe to digge or cauſe to be digged for grauell, ſand, or vnder for the ſaid vſe in the ſeuerall ground of any perſon, where the ſame is like to be found within the Pariſh where he is Surueior or nigh adioyning to the way where ſuch reparations ſhalbe thought

Places not lawful to dig in.

neceſſary (ſo that it be not in the houſe, gardeine, orchard, or manſion of any perſon, nor aboue one onely pitt in any ſeuerall and inclo-ſed grouſd, which pitt ſhal not be in bredth or length aboue tenne yards ouer at the moſt,) and if the Surueior which ſhal cauſe ſuch pitt to be digged, doe not within one Moneth after ſuch digging cauſe the ſame to be ſtopped vp with earth at the coſts of the Pariſhioners, he ſhall forfaite to the owner of the ſoile where the pitt is made

The Surueior ſhall ſtoppe the pitt againe.

Marks, to be rec. by A. of debt. 5.El.13.

Turning a water courſe into any mans ground.

6 ¶ It is lawfull for euery Superuiſour in the Pariſh where &c. to turne a watercourſe or Spring of water being in any high way, & very noiſome to the ſame, into any ditch of the ſeuerall ground of any perſon or perſons next adioyning to the ſaid high way in ſuch maner, as by the diſcretion of the ſaid Superuiſour ſhalbe thought moſt meete. 5.El.13.

Fences and diches nere vnto high wayes.

7 ¶ The hayes, fences, dikes, or hedges, next adioyning on either ſide to any high way, ſhal from time to time be diked, ſcowred, repayred, and kept low, and all trees and bushes, growing in the wayes cut downe by the owners, whereby the ſaid wayes may be open, & people may haue more redy and eaſie paſſage, vpon paine that euery perſon committing any offence to the contrarie, ſhall forfeit for euery default 1. ſhillings. 5.El.13.18.El.9.

Preſentment of the offences

8 ¶ The Surueior which doth not within one moneth after any offence cõmitted by any perſon, contrarie to the purport or true meaning of any Article aforeſaid, preſent euery ſuch offence

the next Iustice of peace, shall forfeit for euery such offence not presented xl.s. And if the same Iustice of peace do not certifie the same presentment at ỳ next generall Sessions within the same Countie, he shall forfeit v.li.5.El.13. to continue from 12. Ianuarii. An.1562. for xx.yeeres, & from thence to the end of the Parliament then next holden.

9 ¶ If the Bailife or high Constable of any Hundred, Rape, Lathe or wapentake, to whom the Steward of any leete or lawday, or in default thereof, the Clerke of peace shall make and deliuer the estretes indented of all fines, forfaitures, & amercementes presented before him or them, cannot find any sufficient distres of any persons offending contrary to the puruew of any article aforesaid, or if ỳ said offendor shall obstinatly refuse to pay the said amercement, fine, or forfaiture, and doth not pay the same within xx. dayes after lawfull demaund of the same by the said Officer, then he shal forfeit double the summe that he should haue paied. 2. & 3. P. & M. 8. 5. El. 13. S. Leetes 13. Iustices of peace. 69. Refusing to pay the forfaiture.

10 ¶ If the Bailife, or head Constable doe not once euery yeere betwixt the first day of March and the last day of Aprill, make a true accompt, and payment of all such summes of money (to ỳ Constables and Church wardens of euery Parish, wherein the offence was committed, or to two of them) which he shall haue collected vpon any of the foresaid estretes, he shall forfaite for euery time not so doing xl. shillinges. 2. & 3. P. & M. 8. 5. El. 13. Constables accompt.

11 ¶ The Church wardens of euery Parish may call ỳ Bailife and head Constable to accompt before the Iustices of peace or two of them, whereof one to be of the Quorum, by bill, I. or otherwise, which Iustices haue auctoritie to take the accompt, & to commit ỳ said Bailife or head Constable to prison, vntil he shal pay all such arrages as shalbe adiudged by the said Iustices, and the fines, forfaitures, & amercements due for any offence contrarie to the purport of this statute shalbe to the Churchwardens, to be bestowed about the repaire of the wayes of the said Parish. But the Bailife & head Constable vpon his accomptes shall haue allowed for euery pound he shall collect and pay, viii.d. for his owne paynes, and xii. pence for his fees of the Clerk of the peace, or Steward of the Leete, for the estretes indented of euery seueral Parish ỳ he shall deliuer. And the successours of Churchwardens shall haue ỳ lyke accion of Accompt against their predecessours, as is before appointed against the Bailifes. 2. & 3. P. & M. 8. 5. El. 13. The head Constable called to accompt. Church wardens accompt.

The charge of ech person being v.li. in goods or xl.s. in lands.

12 ¶ Euery person (except such as shall dwell in the Citie of London,) that shalbe assessed to the payment of any Subsidie to the Queenes Maiestie to v.li. in goodes, or xl. shillinges in landes or aboue, during all such time as he shall stand so assessed and not discharged, and being none of the parties chargeable for the amendement of high wayes, by any former law, but as a Cottager, shall find two able men yeerly to labour in the high wayes, at such dayes & times as are before limitted and appoynted. 18. El. 9.

Hauing a plough land in seuerall parishes.

13 ¶ Euery other person that shall occupie a plough lande in tillage or pasture, lying in seuerall Parishes, shalbe chargeable to the making of the wayes within the Parish where he dwelleth, as farre forth and in such maner, as any person hauing a plough land in any one parish is, or ought to be chargeable by reason of this or former statutes, or either of them. 18. El. 9.

A man hauing seuerall plough lands in seuerall parishes.

14 ¶ Euery person keeping in his hands seuerall plough landes in seuerall Townes, shalbe charged to find in ech Towne or Parish (where the said plough landes doe lie) one cart, wayne, Tumbrell, Dungpot or Court, Sleads, Carres or Dragges, furnished for the repairing of high wayes, within the seuerall parishes where the said plough landes doe lie, in such maner as if he were a Parishioner dwelling within the parishes where the same seuerall plough landes doe lie. 18. El. 9.

Ditching and scouring.

15 ¶ Euery person that shall occupie any landes adioyning to any high way, where any ditching or scouring ought to be, shall from time to time as neede shall require, ditch & skoure in his ground adioyning, wherby the water conueied from ꝑ said high way out of ground next adioyning may haue passage ouer the said ground next adioyning to ꝑ ground, vpon payne of forfaiture for euery time so offending for euery Rod not so ditched & scoured xii.d. 18.

Casting of soil into the way.

16 ¶ No person hauing any ground by lease or otherwise, adioyning to any high way leading to any Market Towne, shall cast or scoure any ditch and lay the soile thereof into the high way, & suffer it to lye there by the space of vi. Moneths, to the annoiãce of the said high way, vpon paine of forf. for euery load of soile so cast &c. And where any soile hath bene so cast into ꝑ high way that there is a bank betwene the said way and the ditch, it is lawfull to the Surueiors and workmen to make Slewces or other deuises by their discretions, to conuey the water out of the said way into the ditch, law or vsage &c. notwithstanding. 18. El. 9.

Slucys to conuey the water into a ditch.

How the penalties shalbe leuied.

17 ¶ Euery penaltie forfaited for any cause within this statute shall

shalbe leuied in euery Parish by the Surueiors of the waies within that Parish by distresse, and sale of distresse, in maner as fines and amercements in leetes haue bene vsed, And the money so leuied shalbe imploied vpon the high way where the offence was committed. And if the Surueiors shall not, or will not leuie and imploy the same within one yeere after the offence so committed, then the saide forf. shalbe leuied in forme aforesaid, by the Constables or Churchwardens of the Town or Parish where the worke ought to be done in the high way. And he or they so leuying any of the said penalties or forfaitures, shall make such accompt as is appointed in the before recited Statutes. 18. El. 9.

18 ¶ The high wayes leading from one Market Towne to an other shalbe enlarged there where any wood, hedges, or ditches be, so that there shalbe no ditch, wood, or bush where he that doth lewdely may escape within CC. foot of the high way on the one side, and CC. foot on ẏ other (but thys statute extendeth not to ashes or great trees.) And if any robberies be done by default of breaking downe ditches, vnderwood and bushes, the Lorde shall answer therefore, and if it be a murder, the Lord shalbe punished at the Queenes pleasure, & if the Lord be not able to cut downe the vnderwood, ẏ Country shall helpe him. And within ẏ Queenes demesns woods within fforests and without, the wayes shalbe enlarged as before &c. And if any Parke be neere vnto the high way, the Lorde thereof shal diminish it by the space of two hundreth foot from the high way, or else make such a wall, ditch, or hedge, that Offendors cannot goe forward or backward to doe any hurt. Winchester. 13. Ed. 1. 5.

The wayes shalbe CC. foote broade.

1 For the repairing of high wayes at the endes of Bridges, See Bridges, 7.

Homage & Fealty.

NO person shall pay in the Queenes Eschequer, or any other Courtes for ẏ respite of Homage, of, or for any manors, landes, tenementes, or hereditamentes, whereof the clere yeerely value exceeth not x.li. aboue viii.d. & for the entering thereof and warrant of Atturney, aboue iiii.d. 33. H. 8. 22.

Respite of homage.

2 ¶ When a freeman shall doe homage to his Lorde of whom he holdeth in fee, he shall hold his handes together betwene ẏ handes of his Lorde, and shall say thus, I become your man from this time forwarde, for life, for member, and for worldly honour, and shall bee you my faith, for the landes that I holde of you, sauing the

The forme of a free mans homage.

faith that I doe owe to our Soueraigne Lady the Queene, and to mine other Lordes. 17. Ed. 2.

A free mans fealtie.

3 ¶ When a Freeman shall doe fealtie to his Lorde, he shall holde his right hand vpon a booke, and shall say thus. Heare you my Lord R. that I H. shalbe to you both faithfull and true, and shall owe my fidelitie vnto you, for the land that I holde of you, and lawfully shall doe such customes and seruices as my duetie is to you at the termes assigned, so helpe me God &c. 17. Ed. 2.

A villaines fealtie.

4 ¶ When a villaine shall doe fealtie vnto his Lord, he shal hold his right hand vpon the booke, and say thus. Heare you my Lord A. that I B. from this day forth vnto you shalbe true, and faithful, and shall owe you fealtie, for the lande that I holde of you in villenage, and shalbe iustified by you in body and goods, so helpe me God &c. 17. Ed. 2.

The Lord shall not haue wardship, vntill he hath taken homage.

5 ¶ If the heire of any which holdeth his lands of his Lorde by knightes seruice, be within age, his Lord shall not haue the ward of him, nor of his lande, before he hath taken of him homage. Magna Charta. 9. H. 3. 3.

Hornes, and Horners.

The Horners of London may serch all hornes within xxiii. miles thereof.

THe Wardens of ỳ Mysterie of Horners in London, may serch all maner of ware belonging to their Mysterie wrought within London, or within xxiiii. miles thereof, And also they may serche Sturbridge and Ely faire, and if by their serch they finde any ware in any of the foresaide places defectiue and insufficient, in whose handes soeuer it be, to sell, they may take the same ware and bring it before the Maior of London, or the Maior or Bailifes of the saide Faires, and the same being there proued defectiue, shalbe forfaited to the Queene and the said Wardens. 4. Ed. 4. 8.

The Horners of London haue the choise of English hornes.

2 ¶ If any Stranger by himselfe, or any other doth buy any English Hornes, vnwrought, gathered, or growing within London or xxiiii. miles thereof on euery side next adioyning, or if any Englishman, or other person doth sell any English Hornes vnwrought to any stranger, or cause them to be sent ouer the Sea, so that the Horners of London will buy the said Hornes at like prices (as they were at when this statute was made) he shall forfait all the Hornes so bought, sold, or sent ouer, to the Q. and the wardēs of Horners. The after men of the occupation of Horners within this Realme, haue chosen out such and as many hornes, as shalbe needefull to their occupation: Then it shalbe lawfull to euery person to sell and deliuer all the hornes refused, which be not able to be occupied in their Mystrie

After London Horners be serued, strangers may buye some.

ſterle to any ſtranger, or other perſon to carry beyond the Sea, or els where. 4. Ed. 4. 8.

Horſes, Mares.

Owners and farmers of Parkes, charged to keepe Mares.

EVery perſon aſwel Spiritual as Temporall, hauing any Park or ground incloſed with hedge, ditch, wall or pale, in his owne hand, wherein any Deare is vſually kept for game, containing the quantitie of one myle in compaſſe, and is thereof ſeiſed in fee ſimple, fee taile, or for terme of life, in poſſeſſion to his owne behooſe. And euery Farmer of euery ſuch Park and ground, being letten to farme, ſhall keepe for euery ſuch Park or ground incloſed, ſo long as the ſame ſhalbe vſed or kept with Deare in the ſame for game, two Mares being not ſplaied, apt and able to beare Foles, eche of them of the height of xiii. handfuls at the leaſt, to be meaſured from the loweſt part of the hooſe of the forefoote, vnto the higheſt part of the ſhoulder, and euery handfull to containe iiii. ynches of the ſtanderd. And euery owner &c. or Farmer of a Park which is iiii. miles in compaſſe or aboue, ſhall keepe iiii. ſuch Mares &c. vpon paine of forfaiture of xl.s. for euery moneth lacking the ſaid Mares, to the Q. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. But if any of the ſaide Mares ſhall die by caſualtie, and the owner doe prouide an other of the foreſaid height, within iii. moneths next after the death thereof, he ſhall not incurre the penaltie of this ſtatute. This ſtatute ſhall not charge the owners of any Parkes or groundes incloſed lying in Weſtmerland, Cumberland, Northumberland, or the Biſhoprick of Durham, to keepe any Mares. Neither ſhall it charge any other perſon, the herbage of whoſe Park &c. is common to the inhabitantes of the Townes next adioyning. 27. Hen. 8. 6.

Mares ſhall not be couered with Aſſes.

2 ¶ If any lorde, owner or farmer of any Park or ground incloſed, appointed by this acte to keepe Mares, will willingly ſuffer any Mare to be couered with any litle Horſe, or Nagge of ſmal ſtature or value, he ſhall forf. xl.s. to the Q. and I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 27. H. 8. 6.

The height of Horſes feeding vpon the common in certaine ſhires.

3 ¶ Whoſoeuer doth put to paſture, into, or vpon any Forreſt, Chace, Moore, Mariſh, Heath, common or waſte ground, any ſtoned Horſe, being aboue the age of two yeeres, and not being of the height of xv. handfuls, to be meaſured from the loweſt part of the roote of the forefoot, vnto the higheſt part of the withers, (and euery handful to containe iiii. ynches of the ſtanderd) to paſture, feede, or be in, or vpon any of the ſaide Forreſts, Chaces, Commons, &c.

within any of the Shires and Territoꝛies of Noꝛthfolke, Suffolk, Cambꝛidge, Buck. Hunting. Eſſex, Kent, Southamſhire, Noꝛthwilſhire, Oxfoꝛd, Bark. Woꝛceſt. Glouceſt. Somerſet. Noꝛthwales, Southwales, Bedfoꝛd, Warwicke, Noꝛthampt. Yoꝛkeſhire, Cheſſhire, Staffoꝛd, the Countie of the Citie of Yoꝛke, ỹ Towne & Liberties of Glouc. the Countie of the Towne of Kingſton vpon Hull, the Countie Palentine of Lancaſter, the Countie of Salop, Leiceſter, Herefoꝛd, Lincolne (except it be vpon any of the Marſh, oꝛ Seggie Fenny groundes within the Counties of Cambꝛidge, Huntington, Noꝛthampton, Lincolne, Noꝛff. oꝛ Suff. oꝛ within the Iſle of Ely) ſhall foꝛfaite the ſaide Hoꝛſe. And whoſoeuer ſhall put to paſture vpon any of the foꝛeſaid Marſhes, oꝛ Seggie Fenny groundes in the ſaide laſt excepted Shires oꝛ places, any ſtoned Hoꝛſe aboue the age of two yeeres, not being of xiii. handfuls high, to be meaſured in foꝛme afoꝛeſaide, ſhall foꝛfaite the ſaide Hoꝛſe. 8.El.8. 32.H.8.13.

The height of Hoꝛſes feeding vpon the common in all other Shires.

4 ¶ Whoſoeuer doth put to paſture any ſtoned Hoꝛſe aboue the age of two yeeres, not being xiiii. handfuls high, to be meaſured in foꝛme afoꝛeſaid, vpon any foꝛeſt, chace, common &c. being within any other Shire of this Realme, then is firſt befoꝛe ſpecified, ſhall foꝛfaite the ſame Hoꝛſe. But no perſon ſhalbe pꝛeiudiced by this ſtatute foꝛ the hauing oꝛ putting any Hoꝛſe to feeding vnder the height foꝛeſaid, vpon any common oꝛ waſte ground where Mares oꝛ Fillies are not vſed oꝛ ſuffered to be kept.

Hoꝛſes bꝛeaking foꝛth, oꝛ put where no Mares be.

Noꝛ foꝛ any ſtoned Hoꝛſe of his which ſhall once in a yeere eſcape oꝛ bꝛeake out of his feeding ground againſt his will, into any Foꝛeſt, Chace, Common, &c. if the ſaid Hoꝛſe doth not remaine there iiii. dayes next after ſufficient and open notice giuen at his houſe, oꝛ publication made on a Sunday, oꝛ feſtiual day in ỹ pariſh Church where he dwelleth. 32.H.8.

Beſtiare and meaſuring of a Hoꝛſe not of lawfull height.

5 ¶ Whoſoeuer findeth any Hoꝛſe in any Foꝛeſt, Chace, Common, Hoꝛſe, Marſh, Heath, oꝛ waſt ground, contrary to this ſtatute, ſhall goe vnto the keeper of the Foꝛeſt, Chace, &c. oꝛ his Deputie, to the Conſtable, Bailife, Headboꝛough, Burſholder, oꝛ Tithingman of any Towne next adioyning vnto the place where the ſaide Hoꝛſe is, and commaund oꝛ require him in the Queenes behalfe, to goe with him to bꝛing ſuch Hoꝛſe there feeding to the next pound, and there the Hoꝛſe ſhalbe meaſured by the Officer, in the preſence of thꝛee other honeſt men by the ſaide Officer appointed, and if it be found that the ſaid Hoꝛſe is contrary to this ſtatute, then he that ſhall ſo chalenge and ſeiſe him, may take and retaine him to his owne

as his owne goods and cattels for euer, without veration, ſuite, or trouble of the owner. 32. H. 8. 13.

6 ¶ If any of the ſaid keepers, deputies, bailifs, conſtables, burſholders, or tithingmen, or iii. perſons requeſted to be at the meaſuring of the ſayde horſe, do refuſe to do as aforeſayd, or do not truely meaſure ſuch horſe, then euery of them refuſing to doe, or not doyng his duety therein, ſhall forfaite xl.s. to the D. & J. to be recouered by I. J. &c. wherein no W. &c. E. P. &c. 32. H. 8. 13. Refuſing to meaſure a horſe not of lawfull height.

7 ¶ If the Lords, owners, or poſſeſſors of Foreſts, & Chaces, or their Officers, or the Conſtables, Headboroughs, Bailifs, Burſholders, and Tithing men, within whoſe Offices, precincts, and limits, & commons, moores, marifhes, heathes, and waſte grounds being out of foreſtes and chaſes, doe lye, do not yeerely at the feaſt of ſaint Michael tharchangel, or within xv. dayes after, effectually vewe the ſayd Foreſts, Chaces, Commons, Moores &c. the ſayd Officers &c. Bayliffes, Conſtables, Headboroughs &c. ſhall forfayte for euery tyme the ſayd view ſhalbe omitted xl.s. And it is lawfull for the ſayd Lordes, owners &c. and for the ſayd Conſtables, Bailifes &c. within the limittes of their offices, to make like vewe of the ſayde foreſtes, chaſes, commons, moores, marifhes, heaths, and waſte grounde at any other tyme of the yeere, when, and as often as they ſhall thinke meete. 32. H. 8. 13. Vewes of foreſts, cõmons, heaths.

8 ¶ If in any of the ſaid vewes there ſhalbe found any Mare, Filly, Fole, or Gelding that ſhalbe thought not able nor like to growe able to beare foles of reaſonable ſtature, or not able, or like to grow able to do profitable labours, by the diſcretion of the viewers or the more number of them, then the ſame vewers ſhall cauſe the ſame beaſtes to be killed, and the bodyes to be beſtowed where no annoyance ſhal growe. 32. H. 8. 13. Unlikely ytes. ſhalbe killed.

9 ¶ Whoſoeuer ſhal haue, or put to paſture any Horſe, Gelding, or Mare, infect with ſcabbe, or mange, into, or vpon any Foreſtes, Chaſes, Moores, Marifhes, Heaths, commons, waſte grounde, or common fieldes, ſhall forfaite for euery Horſe, Gelding, or Mare ſo infected x.s. to the Lord of the Leete, where the offence ſhalbe preſen- 32. H. 8. 13. Infected horſes.

10 ¶ Euery Archbiſhop and Duke of this Realme, ſhall haue, kepe, and maintaine of their owne proper horſes, and at their owne coſtes, vii. ſtoned trotting horſes for the Saddle, (beyng neyther Rounſey nor Sumpter horſes) euery of the ſame Horſes to be three yeere olde and vpward, and in heyght xiiii. handfulles (reckoning to euery Keeping of horſes by reaſon of degree or liuing.

euery handfull iiii. ynches of the ſtanderd) to be meaſured from the nether part of the heare of the hoofe vnto the vpper part of the wyderſons or ſhoulders. Euery Marques and Earle, & euery Biſhop whoſe Biſhoprycke is of the yeerely value of a thouſand pound or aboue, ſhal find & maintaine fiue ſtoned trotting horſes for ỹ Saddle, of the age & heyght aforeſaid &c. Euery Biſhop whoſe Biſhoprycke is of the yerely value of a thouſand Markes, or aboue, and euery Vicount and Baron hauing lands, tenements, fees, annuities, or offices for terme of his life to the clere yerely value of a thouſand markes or aboue, ſhal find & maintaine iii. ſtoned trotting horſes &c. And euery other Biſhop, Vicount, & Baron not before mencioned, & alſo euery other ſpirituall perſon hauing benefices or promotions to the yerely value of 500. Markes, and euery temporall perſon hauing lands, tenements, fees, annuities, or offices for terme of his life, in his own right, or in his wiues to the yerely value of vi. hundreth Marks, ſhal keepe and maintaine two ſtoned trotting horſes for the Saddle, vpon payne that euery perſon aforeſayd lacking the nomber of the ſayd Horſes to him limitted, ſhal forfaite for euery horſe ſo lacking by the ſpace of iii. monethes xx. li. to the Q. & I. to be recouered by A. I. &c. wherein no Wa. &c. E. P. &c. 33. H. 8. 5.

Keeping of horſe by reaſon of the wiues apparell.

11 Euery other ſpiritual perſon vnder the degree of a Biſhop, hauing benefices or promotions to the cleere yeerely value of a C. pounds or aboue, and not to the yerely value of v. hundreth marks, and euery other perſon temporall not before mencioned, whoſe wife (beyng not diuorced, nor willingly abſenting her ſelfe from him) doeth weare any Gowne or peticote of ſilke, or any Veluet in her kirtell, or in the lyning or other part of her gowne (other then in cuffes or purfles,) or any French hood, or Bonet of Veluet with any habiliment, paſte, or edge of golde, pearle, or ſtone, or any chayne golde about her necke, or in her partlet, or in any apparell of her head, ſhall haue, keepe and maintaine as is aforeſayde, one ſtoned trotting horſe for the Saddle, vpon paine of forf. for euery time that any of them ſhall want by the ſpace of three moneths one ſtoned trotting horſe of the age and heyght aforeſayd x. li. to the Q. & I. to be recouered by A. I. &c. wherein no Wa. &c. E. P. &c. But heires within age beyng wardes, whoſe lands, tenements, and hereditaments amount to the yerely value of CC. li. ſhal not be compelled by this Act, vntil they come to their ful age, to keepe any horſes, although their wiues weare any Gowne of ſilke, or any French hood or Bonet of Veluet with any habiliment, paſte, or edge of Golde, Perle, or ſtone, or

chaine of gold about their necks in their Partlets, or in any apparel of their bodies. 33. H. 8. 5. And euery perſon chargeable by this ſtatute by reaſon of his wiues apparel to keepe a ſtoned trotting horſe, ſhal alſo keepe & maintaine one Gelding able and meete for a lyght horſeman, with ſufficient Harneis and weapon for the ſame, in ſuch maner, as he that may diſpend one hundreth markes by the yeere, is chargeable to keepe. 4. & 5. P. & M. 2. S. Armour. 3.

The ſonne and heire of a Noble man.

12 ¶ If the ſonne and heire apparant of any Duke, Marques, Earle, Vicount, or Baron, or of any other perſon hauing lands &c. to the yeerely value of vi. hundreth markes or aboue, hath landes, tenements, hereditamẽts, fees, offices, or annuites, for terme of life in his owne right, or his wiues, to ỹ clere yerely value of v. hũdreth marks, then he ſhall keepe and maintayne one trotting ſtoned horſe for the Saddlein forme aforeſayd, vpon payne of forfaiture of xx. li. for euery thee Mouethes that he ſhall want the ſame Horſe. But no ſuch ſonne and heire is cõpellable by force of this Act, to find or keep any horſe in the life of his Father, except he hath landes, tenements, annuities, fees, or offices, to the ſayde yeerely value of fiue hundreth markes. But no perſon ſhalbe impeched or troubled for any offence done contrary to this Act by A. I. P. or Certificat of the Sherife, vnles the ſame be made within one yeere next after the offence committed. 33. H. 8. 5.

If the horſe be killed in the Queenes ſeruice.

13 ¶ If any of the foreſaid horſes happen to be killed, maymed, or loſt in the Queenes ſeruice, then the owner is at libertie at any time by the ſpace of two yeres next after ſuch chaunce to prouide other in their ſteade, without any penaltie. 33. H. 8. 5.

Tranſporting of horſes into forreine regiõs.

14 ¶ If any perſon do ſell, exchange, giue, conuey, or deliuer into the realme of Scotland, to the vſe of any Scottiſh man, or into any place beyonde the ſea, out of this realme or the dominions of the ſame, any Horſe, Gelding, or Mare, without ſpeciall licence therfore obtained of the Queene, or of her heires, vnder the great ſeale, or priuie ſignet, or if any perſon do ſell, exchaunge, giue or deliuer, to any Scottiſhman within this realme of England, or Wales, the towne of Berwicke or the marches of the ſame, to the intent to be conueyed into Scotland, any Horſe, Gelding or mare, or do conuey or cary any Horſe, Gelding, or Mare, into any forreyne parts beyond the ſea, without like ſpeciall licence obtayned of the Queene or of her heires, vnder the great ſeale, or priuie ſignet, then the ſame perſon ſhall forfayte to our ſoueraygne Ladie and her heires the ſame horſe, Gelding, or Mare, ſo carryed or conueyed, and ſhall alſo

loſe

loſe xl.li. for euery ſuch Horſe, Gelding, or Mare ſo conueyed, to the Queene and Informer, to be recouered by A. I. &c. wherein no &c. E. P. &c. And alſo euery perſon ſo offending, ſhall ſuffer impriſonment by the ſpace of one whole yeere. And it ſhall be lawfull to euery perſon beyng the Queenes ſubiect to arreſt and impriſon euery Scottiſhman, and euery other perſon, which ſhall leade or conuey contrary to the meaning of this Act, any ſuch Horſe, Gelding, or Mare, out of this Realme into Scotlande, or into any other forreyne place beyonde the ſea, other then ſuch perſons as ſhall haue ſufficient warrant from the Queene, or her heires, vnder her or their great ſeale or priuie ſignet. But this Act ſhall not extende to any perſon which ſhall conuey any Horſe, Mare or Gelding into Scotlãd, or into any other forreyne parties beyond the ſea to ſerue the Queene in her warres with the ſame. 1. Ed. 6. 5. 5. El. 19. S. Fony. 1. that it is felonie to ſell, exchange, or deliuer within Scotland, or the batable grounde betweene Englande and Scotlande, to the vſe of any Scottiſhman, any Horſe, Mare, or Gelding, or to ſell, exchaunge, or deliuer in England, Wales, Berwicke, or the marches of the ſame, or in ẏ ſayd batable ground, to the intent to be conueyed into Scotland any Horſe, Mare, or Gelding without the Queens licence vnder her great ſeale. And in like ſort it is felony to buy the ſame.

Licences to tranſport horſes, & licences to giue licence.

15 ¶ But if the Queene, her heirs or ſucceſſors, vnder her great ſeale or priuie ſignet, do giue licence to any perſon, to carry any Horſes, mares or Geldings into Scotland, or into any other parties beyond the ſea, or elſe doe gyue auctoritie or commandement to any perſon or perſons by warrant vnder the great ſeale, to licence any other perſon or perſons to carry or conuey any Horſes, Mares or Geldings into Scotland, or into any partes beyond the ſea, they ſhalbe lawfull aſwell to all perſons hauing ſuch lycence vnder the Queenes great ſeale or priuie ſignet, as to euery other perſon hauing licence in wryting vnder the ſeale of ſuch perſon or perſons to whome the Queene ſhall gyue auctoritie or commaundement in forme aboueſayde, to licence other to carry and conuey ſuch number of horſes, geldings, or mares, or any of them into Scotland or into any of the partes beyond the ſea, as ſhalbe mencioned in any ſuch licences. 1. Ed. 6. 5. 5. El. 19.

Licke ſhewed to the wardes of the marches

16 ¶ Euery ſuch perſon which ſhalbe licenced according to this Act to carry or conuey any horſes, mares, or geldings, into Scotland, ſhall before the ſame carriage or conueyance, vpon the p[ar]

of foyſ, of the ſaid hoyſe &c. oꝛ the double value thereof to the Q. & I. &c. ſhew his ſaid licence to one of the thꝛee wardens, of the thꝛee marches of England, to the intent that one of the ſaid wardens ſhal cauſe the nomber of the ſayde hoyſes &c. ſo licenced, to be conueyed into Scotlande, not onely to be kalendꝛed in a booke, to remayne in his owne cuſtody, But alſo to be indoꝛſed and wꝛitten on the backſide of the ſaid licence, and the ſame indoꝛſement to be ſigned with the hand of the ſayd warden. 1. Ed. 6. 5. 5. El. 19.

17 ¶ But this Act ſhall not be pꝛeiudiciall to the maſter of the Queenes hoyſes foꝛ ſuch things and commodities as ſhall concerne his office, And notwithſtanding this act, the warden of the fiue poꝛts may yerely at his pleaſure giue vi. hoyſes oꝛ geldings (and no moꝛe in one yere, at one oꝛ diuers times, vpon like paine as is afoꝛeſaid) to any perſon oꝛ perſons in the parties beyonde the ſeas, beyng in amitie with the Queene, oꝛ her ſucceſſoꝛs. And it ſhall be lawfull to any of the Queenes ſubiects to carry oꝛ ſend into any parts beyond the ſea any mares, whereof the pꝛice of any one mare ſo to be caꝛyed doeth not exceede x. s. in ſuch maner as mares beyng of the pꝛices of vi. s. viii. d. bene oꝛ myght haue bene conueyed ouer the ſeas afoꝛe the making of this Act (vz. per ſtat. 11. Henrici ſeptimi. 13.) any thing in this Act, oꝛ any other Act &c. notwithſtanding. 1. Ed. 6. 5. 5. El. 19.

Warden of the v. poꝛtes.

Mares of x. s. pꝛice may be tranſpoꝛted.

1 How many great Horſes & Geldings eche man is chargeable to keepe by reaſon of his lands or goods. S. Armour. 1.

2 Concerning ſelling of Horſes, appoynting a place, & paying tolle for them in a fayre or market. S. Faires. 4. 5. 6.

3 That the Sherifes ſhall enquire and certifie the faultes of thoſe which do want ſtoned trotting horſes. S. Sherifes. 25.

Hoſpitalles.

The Byſhop of euery dioces oꝛ his Chauncellour foꝛ the tyme being, ſhal yerely viſite all hoſpitalles in the dioces of ſuch Byſhop where no viſitoꝛ by the founder is appoynted, if the founder of the ſayd hoſpital be then dead, & take oꝛder that the ſaid Hoſpitalles be gouꝛned & vſed according to the ſtatutes & oꝛdinances of the foundation theꝛeof. And if the founder be then liuing, the ſaid founder to haue the ſame during his life, without any the Biſhops viſitation, ſo the ſame viſitation to be at the onely coſtes of ꝑ viſitoꝛs & not of the Hoſpitall. And it ſhalbe lawfull to the Biſhop &c. oꝛ his Chauncellour, vpon complaynt, oꝛ other intelligence of iuſt cauſe, to take

Viſitation of hoſpitals and calling the collectoꝛs to accompt.

accompt howe the rentes, reuenues, and profites of any such hospitall haue bene bestowed, to call before him or them at the sayd Hospitall to accompt all such persons as haue had the collection or receypt of any the sayde rents, yssues, reuenues or profites. And if any person so called shall refuse to accompt, or entring into accompt shall refuse to proceede and finishe the same, or vpon the finishing thereof, shal refuse forthwith to answere to the vse of the sayd Hospitall, such summe of money, as vpon the same accompt shall appeare to be due by him, then he refusing shall forfaite such summe of money as to the sayd Bishop or Chauncellor, and to two Justices of the peace next inhabiting to the sayd hospitall shalbe thought meete, which accompts the sayd Bishop or Chauncellor shall call the said ii. Justices of peace. 2. H. 5. 1. 14. El. 5. 18. El. 3. to continue from Marcii. Anno 1575. vntil the end of vii. yeres then next ensuing, and from thence vntill the end of the next Parliament.

Hunters, Hunting.

None shall hūt but which hath sufficiēt liuing.

IF any Artificer, laboyer, or other lay man which hath not lands or tenementes to the value of xl. s. by the yeere, or if any Priest or Clerke which hath not lyuing to the value of tenne poundes by the yeere, will haue or keepe any Greyhound, hound, or other dogge to hunt, or wil vse ferrets, hayes, nettes, Hareppes, Coydes, or other engines for to take or destroy Deare, Hares, Conies, or other gentlemens game, he shall be imprisoned by the space of one whole yeere. 13. R. 2. 13. S. Iustice of peace. 36.

Tracing of Harts.

2 ¶ If any person doth trace, destroy, & kil any harc in the snow with dogge, bitch, or otherwise, he shall forf. for euery hare so killed vi. s. viii. d. 14. H. 8. 10. S. Iustice of peace. 37.

Buckstalles.

3 ¶ If any person hauing no Parke, Chace or forest of his owne doeth keepe or cause to be kept any nettes called Deare hayes Buckstalles, he shall forfaite for euery moneth that he keepeth the same, x. li. to any person that wil sue for the same by A. of debt, wherin no W. fre. E. P. fr. 19. H. 7. 11.

Stalking.

4 ¶ Whosoeuer doeth stalke or cause any other person to goe to any bushe or beast, to any Deare being in any parke, chace, forest or without (but in his owne groūde, forest, chace, or parke) without licence of the owner, master of the game, or keeper of ye same in forest, chace or parke, shal forf. for euery time that he or they shall x. li. to any person that wil sue for the same by A. of debt, wherin no W. fre, E. P. fr. 19. H. 7. 11, S. Forests, Iustice of peace. 35.

I The

1 That vnlawfull hunting in Parkes, Warreins &c, and denying the same, is felony. S, Felony. 24.

Husbandry and Tillage.

Mayntayning of houses whereunto xx. acres of land belong.

EVery owner that hath any house, which at any time heretofore sithence the first yere of king H. 7. haue or hath had, or hereafter shal haue xx. acres of grounde to the same house lying or belonging, or with the same house commonly occupied or vsed, the content of euery which acre shalbe taken & rated after the measure limitted in ỹ treatise de terris mensurandis (although the same grounde hath not bene, is, or shal not be all wholy vsed as arable land, & put in tillage, but some part thereof) shall keepe, sustayne, & maintaine houses and buyldings vpon the sayd ground, and land conuenient and necessary in the maintayning and vpholding of the sayde tillage and husbandry. And if any owner of any such house or lande, doe occupie such house or lande in his owne handes, he shall keepe and mayntayne houses and buyldings vpon the same grounde, and land conuenient and necessary for the maintayning and vpholding of the sayd tillage and husbandry. 4. H. 7. 19. 5. El. 2.

S. waights & measures 5.

Land shal not be seuered frō ỹ house whereunto it belongeth.

2 Whosoeuer hath any house of husbandry with xx. acres of lande, or more belonging or lying thereunto, or with the same commonly occupied, vsed, or demised, shal not seuer the sayd land nor any part thereof from the sayd house, vnlesse the same be kept in tillage, or otherwise for the profite of husbandry, according to the nature of the ground or custome of the manors where the same land shal so be, except he shal lay and assigne to the sayd house, or to any other house or houses within the sayd parishe or lordshippe, or within two myles of the sayde houses, being not also bounde to be vpholden and maintayned by the foresaid statute of 4. H. 7. asmuch other land within the same parish or lordshippe, or within two miles, for, and in lieu of such and so much of the former land, as ought by the sayd statute to haue continued with the former house, and cannot conueniently be returned to the same former house. 5. El. 2.

Land seuered from the house by lease, shalbe vnited, ỹ lease being expired.

3 If any such house of husbandry and land be seuered the one from the other, by reason of any lease or leases for terme of life, liues or yeeres, made or graunted before 1. Januarii, An. Do. 1563. then whensoeuer the sayde lease or leases shall determine by any maner of meanes, so as the same house and lands thereunto belonging shal be discharged of all such leases, the same house and landes so demised shal not be afterward seuered the one from the other, but shal go,

be

be kept, and occupied together at all times after, according to the declaration before mencioned, except by the returning or reuniting of the same land to ỳ said house, there shal or may grow any manifest decay of any other houses newly edified, or of any other farmes that haue bin by meanes of distribution or seuerãce of ỳ same lãds or any part therof, made or assigned to be seueral tenemẽts or holds. 5. El.

Repairing of decaied towns or houses of husbandry.

4 ¶ All townes, villages, boroughs, hamlets, tithing houses, and other habitations in any parishe within this realme, whereof the more part 12. die Nouẽb. An. 7. H. 8. being An. Do. 1515. were vsed to tillage, & husbandry, & by the owners therof for their singular lucre &c. wilfully sithence the same day, be or hereafter shalbe suffred or caused to decay, & fall downe, whereby the husbandry of the said townes, villages &c. bene or shalbe decayed, & turned from the vse of husbandry & tillage, into pasture, shalbe by the owners, their heires, successors, or assignes, or other for them, at their charges, within one yeere next after such wilfull decay, reedified, and made againe, meet and conuenient for people to dwell in the same, and therein to exercise husbandry and tillage, as at the sayd xii. daye of Nouember ỳ sithence was vsed there, after the maner of the country where the said land lyeth. 7. H. 8. 1.

Conuerting of tillage into pasture whereby any house of husbandry is decayed.

5 ¶ If sithence the sayd xii. day of Nouember, Anno 7. H. 8. any landes, which at the same day, or sithence, were commonly vsed in tillage, be inclosed, or from henceforth shalbe inclosed, be turned only to pasture, whereby any house of husbandry within this realme, is or hereafter shall be decayed; then all such landes shall be by the said owner, his heires, successours, or assignes, or other for him within one yeere next ensuing the same decay, put in tillage, and occupied in tillage and husbandry, as they were the same xii. day, or any time sithence, after the maner of the countrey where such land lieth. This Act shal not extend to any parke for deare, made or to be made, or to any marsh for walling or inclosing, or for any lands contained in the same. 7. H. 8. 1.

The same tillage decayed shalbe eared againe, or so much other.

6 ¶ If at any time sithence the xii. day of Nouember. An. 7. H. and before the feast of saint George. An. 20. H. 8. any landes belonging to any house of husbandry, haue bene turned from tillage to pasture by any person, then the same landes, or so much other land within the same parish, lordship or manor, ỳ heretofore was not by any law or statute to be kept in tillage, was, or ought to haue been turned againe into tillage within one yeere next after the sessions of the Parliament begunne xii. Januarii An. 5. El. and shall be kept in

in tillage for euer, according to the custome of the countrey, and nature of the soile, whether the said house whereunto the said lands did belong, be decayed or not, or whether the said land were inclosed or not, or whether some part thereof and not the whole were kept in tillage or not. 5. El. 2.

7 ¶ If any owner do contrary to the premisses, or any of them, it is lawfull for the Queene (if any such lands or houses be immediatly holden of her, after the same shalbe found by office or verdict) or to any other Lord of the fee of whom the said lands or houses be immediatly holden, to receiue yeerely halfe the value of the issues and profits of such landes &c. And for the same to distraine, and the same to keepe to her, his, or their owne vse, without any thing therefore to be giuen, or payed, until such time as the same shalbe sufficiently repaired, the said pasture conuerted into tillage, and euery of the former offences reformed &c. But no freehold or tenure shalbe in ỹ Queene, or other Lord, neither shal any Lord lose his tenure, seruice or other right of and in the same. And if the Lord immediat doe not take his profite, within one yere, the Queene after office found shal haue the same. 4. H. 7. 19. 7. H. 8. 1. 27. H. 8. 22.

The penaltie for the offences compriled in the former 6. braunches.

8 ¶ This statute of 4. Hen. 7. is not preiudiciall to any Infant within the age of xxi. yeres, nor to any person out of the Realme, for any issues to be leuied &c. as long as they shalbe within age, or out of the Realme. And also the said act of 27. H. 8. extendeth onely to the owners of lands in the Counties of Lyncolne, Notingham, Leycester, Warwicke, Rutland, Northampton, Bedford, Buckingham, Hertford, Barkshire, the Isle of Wight, Worcester, Herford, and Cambridge, and not to any others. 27. H. 8. 22.

No Infant or person beyond the Sea preiudiced.

The shires touched by 27. H. 8.

9 ¶ All persons to whom King H. 8. or any of his heires or successours, heretofore sithence 4. Februarii. An. 27. of his raigne, haue giuen, graunted, letten, or demised, or hereafter shal giue, graunt, let, demise, any Scite or precinct, with the houses thereupon builded, together with the demeisnes of any monasteries, priories, or other religious houses that were dissolued or giuen to the said king by the statute made Anno 27. H. 8. (vz. such as had not in lands, tenements and hereditaments, aboue the clere yerely value of CC. li.) and ỹ heires, successors and assignes of euery such person are bound to keepe, or cause to be kept an honest continuall house and household in the same scite or precinct, and to occupy yerely as much of the demeisnes in husbandry and tillage of husbandry, as then were commonly vsed to be kept in tillage, by the gouernors, Abbots, or Priors of the same

Hospitalitie and tillage in Scites of monasteries.

houſes, monaſteries, pryories, or by their farmour or farmours occupying the ſame, within xx. yeeres next before the ſame ſtatute, vpon pain to forfait to the Queene for euery moneth offending to the contrary vi.li. xiii.s.iiii.d.to be recouered to her vſe, in any of her courts of record.27.H.8.in a ſtatute not imprynted.5.El.2.

What land ſhal be kept in Tillage, and vpon what paine.

10 ¶ All ſuch lands and grounds,or ſo much in quantitie, as in any towne,village,hamlet,Lordſhip, place knowen,or pariſh within England or Wales,haue bene eared,plowed,or put in tillage by the ſpace of iiii. yeres any time ſithence the feaſt of S.George the Martyr in Anno 20. H. 8. other then the demeſnes of the foreſaid monaſteries &c. ſhalbe eared, ploughed,vſed, and kept in tillage for euer according to the nature of the ſoyle and cuſtome of the countrey, by the occupier,or occupiers thereof without colluſion,vpon paine of euery offendor contrary to this act, ſhall forfait yerely for euery acre x.s.which forfaiture ſhall go and be to ſuch perſon and perſons as ſhall next in reuerſion or remainder thereof, for terme of life, liues, or taile,their executors or adminiſtratours . And it ſhalbe lawfull for him or them to leuie the ſame forfait of x.s. for euery acre, by diſtreſſe and to iuſtifie,or make their auowries or cogniſances for the ſame in ſuch maner and forme,as any perſon or perſons may do for rent reſerued vpon eſtates made for terme of yeeres of any lands or tenements, or otherwiſe ſhal and may ſue for the ſame forfaiture by action of debt,B.P.or I.in any of the Queenes &c. courts of record,wherein no W.&c.E. P.&c . And if they or any of them do not diſtraine, or otherwiſe claime, or demaund the ſaid penaltie,by any the meanes aforeſaid,within one whole yere next after the offence done in forme aforeſaid,and purſue for the ſame with effect,without fraud or couin and do not recouer (and might haue recouered the ſame) with all ſpeede as may be,by the due order of ỹ law: Then after ſuch default it ſhalbe lawful for him or them to whom the reuerſiõ or remainder or the fee ſimple of the ſaid land ſhall appertaine,their executors adminiſtratours to diſtraine,auowe,or make cogniſance,& in other wiſe to ſue for the ſaid forfaiture in forme aforeſaid,at any time within one yeere next enſuing any ſuch default . And in his or their default, the ſaid forfaiture to goe and be to the immediat Lord Lords of the fee or fees of whom the ſaid lands bene holden,to be recouered in maner and forme aforeſaid , ſo that he or they do take ſue for his or their remedy therein within one yere next enſuing ſuch default,in maner and forme aforeſaid , And in his or their default the ſaid forfaiture to goe and be to the Queene, her heires

ſucceſſours, to be recouered by any of the meanes afoꝛeſaid, at any time at her pleaſure, oꝛ otherwiſe to any other perſon that will ſue aſwell foꝛ the Queene &c. as foꝛ himſelfe, foꝛ the ſame foꝛfaiture, vpon which ſuit the one moytie ſhall goe and be to the Queene &c. and the other to the Infoꝛmer to be recouered by A. I. &c. wherein no W. &c. E. P. &c. and if any perſon oꝛ perſons being an occupioꝛ, and owner of any ſuch lands & grounds as is afoꝛeſaid, of any eſtate of inheritance, ſhall offend againſt the foꝛme of this act, then the ſaid foꝛfaiture ſhall go and be to the next immediat Loꝛd oꝛ Loꝛds of the fee, fees thereof, his oꝛ their executours oꝛ adminiſtratours, to be recouered by ſuch wayes and meanes, as befoꝛe is limitted, ſo that he oꝛ they do purſue, and take their remedy foꝛ the ſame in foꝛme aforeſaid, within one yeere next after ſuch offence committed, And if any ſuch occupioꝛ and owner ſhalbe a copiholder, oꝛ a cuſtomarie tenement, then the ſaid foꝛfaiture to goe and be to the Loꝛd oꝛ Loꝛds of the manoꝛ, of whom the ſaid copie oꝛ cuſtomarie tenements bene holden, their executours oꝛ adminiſtratours, ſo that he oꝛ they do purſue and take their remedy foꝛ the ſame in ſuch maner and foꝛme, and within the time laſt befoꝛe limitted. And in euery ſuch default of the ſaid Loꝛd oꝛ Loꝛds of the fee oꝛ fees, and of the Loꝛd oꝛ Loꝛds of the ſaid manoꝛ oꝛ manoꝛs, as is afoꝛeſaid, oꝛ of any of them, the ſame penalties and foꝛfaitures to goe, and be to the Queene, oꝛ to the Queene and Infoꝛmer &c. to be recouered by Action, Infoꝛmation &c. wherein no Wager &c. Eſſoine, Pꝛotection &c. 5. Eliz. 2.

11 ¶ This act ſhall not be pꝛeiudiciall to any perſon that hath, ſhall turne any ground from Tillage to paſture, and ſhall keepe the ground in paſture whole, and not conuerted into Tillage, foꝛ the onely maintenance and keeping of his owne Hoꝛſes, Geldings, Mares, Draught Oxen, oꝛ foꝛ the mayntenaunce oꝛ keeping of Sheepe, oꝛ other Cattell, foꝛ the onely victuals to be ſpent in his owne houſe, ſo that the ſame perſon hath not, oꝛ ſhall not haue in his poſſeſſion, occupation, oꝛ diſpoſition, other ſufficient paſture ground foꝛ that purpoſe within fiue myles of his manſion houſe, But if it ſhall chaunce any ſuch perſon to be abſent, and not reſident at oꝛ vpon his chiefe manſion houſe with his familie, by the occaſion of ſeruice and attendance to be done by him, by the expꝛeſſe commaundement of the Queene, her heires oꝛ ſucceſſours within the Realme, oꝛ without, oꝛ elſe hauing two oꝛ three dwelling houſes, ſhalbe reſident with his familie at one of them, oꝛ ſhalbe within age, then during

Foꝛ what caſes tillage may be conuerted into paſture.

In what caſes he that is abſent from his dwelling houſe may conuert tillage into paſture.

the time of such seruice, attendance, minoritie, and absence (and one yere next after) from any his said dwelling houses, or during ȳ time that he shalbe resident with his familie, at or vpon one of them, he shal or may keepe such ground in pasture or medow, belonging or vsually occupied with any of the said two or three houses (and with no mo or others) in his owne handes, or let it out to any other person without incurring any danger, so that the same person do keepe the same mansion house vnletten, and in good and sufficient reparations, and meete for him to resort vnto at all times for his dwelling. 5. Eliz. 2.

Common graziers of Cattell to be sould, may not conuert tillage into pasture.

12 ¶ But euery person that doeth commonly feede, and yerely sell beeues or muttons, to a greater number then he doeth spend victual in his house, or which is a common grasier, or sheepe master of beeues or muttons, to be commonly sold in markets or fairs, or a common butcher, is within the danger of this statute. 5. El. 2.

Tillage conuerted into pasture, and permitted by this statute.

13 ¶ This act shal not extend to any lawfull Parke or parkes or ancient warrens, now vsed with Deare or Conies, or to parkes heretofore lawfully vsed as Parkes, and being disparked, or to other grounds, that heretofore haue bene by the Queenes progenitors or hereafter shalbe made Parkes or Warrens, by licence of the Queene, her heires or successors, with sufficient clause of dispensation for conuerting of tillage into pasture, and be or shalbe layed, stowed, and imployed to the mayntenance and keeping of Deare or Conies, without fraud, and not to the feeding or keeping of any other Cattell or beastes, but onely milche kine, for the owner or owners, or his or their keeper of such Parke or Warren for the provision of his or their house or houses, or for the keeping of his or their Horses, Geldings, Mares, Coltes, or Swine. Neither shal it extend to any waste grounds, commons, heathes, downes, fennes, moores commonly vsed as common, nor to any heathes, fennes, moores, marishes being vsed now in seueraltie, and not commonly vsed to be sowen and put in tillage, since the feast of S. George. Anno 20. nor to any fresh marshes surrounded with water, within sixe myles next before the first day of the said Parliament (being the xiii. of Januarie, Anno Do. 1563.) Nor to any Orchard, Garden, Nursery or Pondyard, nor to any ground set or sowen with Saffron, Garlike, Onyons, Flax, Dade, or Madder, or sowen with Annise or set with any kind of pong woods, nor to any wood grounds, that are not stubbed, or wherin the wood hath bene felled or shalbe, and the rootes and stubbes thereof yet remaine vndigged vp.

any medowes, or other grounds accustomably vsed to be mowen for hay once in the yeere at the least, during such time as al and euery of the same shalbe vsed or put to ẏ vses or intents before specified. Neither shal this act compel any person to continue or put in Tillage any pasture, heath, waste, or barren ground, which hath not bene heretofore commonly vsed to be eared or tilled for corne, though the same person, to the intent to amend and better the ground, and not to vse the same for Tillage, hath at any time heretofore, or any time hereafter shall turne or put the same into tillage, & hath or shall keepe the same in Tillage, for the space of iiii. yeeres together. Neither shall this act extend or be preiudicial to those parts or porcions of grosids wherein any Dare of Lead, Tinne, Iron or Coales, commonly called Sea cole, Stone cole or Mooze cole, haue bene, are, or hereafter shalbe vsually gotten, by meanes whereof the same grounds cannot conueniently be put in Tillage. Neither shall this act compell any person to put in Tillage any lands or grounds within any Forest or Chace (Except the Forest of Snowden in Northwales) other wise then before the making of this statute he was bound to doe, nor to compel any Inhabitant of ẏ Counties of Northumberland, Westmerland, or Cumberland, to reedifie, maintaine or keepe in manurance any house or ground that shalbe ouerthrowen, burned, destroyed, wasted, or decayed by enemies, or by occasion of warres, or Inuasions, during the warres, or within iiii. yeeres after the conclusion of peace next following such ouerthrowing &c. 5. El. 2.

14 ¶ But this act doth not giue libertie to any person which at any time sithence the said feast of S. George hath conuerted, or hereafter shal conuert or imploy any moze ground to the keeping of Conies (not being a lawfull warren) then v. acres at the most, and the same to be within one myle of his dwelling house, and also not hurtful to the Corne of any person, but of the owner of the same ground, that he must put in Tillage as much or as many acres of his own ground lying within the said Lordship, manno or parish, as the said vnigry shal containe aboue the said number of v. acres, which hath not bene heretofore lyable to be continued in Tillage by force of any law or statute, Anno. 5. El. 2.

A warren shall be but v. acres within one mile of the owners house, & not hurtful to other mens Corne.

15 ¶ The putting of any lands from pasture to Tillage according to the tenour of this Act, is not any cause of breach or forfaite of any band, Couenaunt, payment, or condition made, or hereafter to be made betweene any person, which in any wise is or shalbe repugnant to this act, And no person shall conuert from Tillage

Conuerting of landes into tillage no breche of couenant or band.

to pasture any ground, which was in Tillage the first day of the parliament begunne 12. Januar. An. 5. El. other then such as he might lawfully haue conuerted before the making of this Act. Anno 5. Elizabeth. 2.

He that is once punished shall not be eftsones troubled.

16 ¶ If any person shal sustaine any penaltie, forfaiture or losse, for or by reason of any offence committed contrary to the effect of any of the foresaid Actes, he shal not be eftsones vexed, sued, or impeched for the same offence. 5. El. 2. 14. El. 11.

1 The duetie of those to whom any commission is directed to enquire of the decay of houses of husbandrie and Tillage. S. Commission. 2. 3.

2 Where a husbandman being a housholder may take an apprentice. S. Laborers. 15.

Ieofaile.

After issue there shalbe Judgement notwithstanding any Ieofaile or mispleading.

IF any issue be tryed by the othe of xii. or more indifferent men by the partie plaintife or demaundant, or for the tenant or defendant, in any accion or suit at the Common lawe of this Realme, in any of the Queenes Courtes of record, then the Justice and Justices by whom iudgement thereof ought to be giuen, shall proceed and giue Judgement in the same, any mispleading, lacke of colour, insufficient pleading, or Ieofaile, any miscontinuance or discontinuance, any misconueying of proces, misioyning of the issue, lacke of warrant of attourney for the party against whom the same issue shall happen to be tryed, or any other default or negligence of any of the parties, their Counsailors or Attourneis, had or made to the contrary, notwithstanding. And the said Judgements thereof so to be had and giuen, shall stand in full force to all intents according to the said verdict, without any reuersall, or vndoing of the same, by writ of Error or of false Judgement, in like forme, as though no such default or negligence had neuer bene had or committed. 32. Hen. 8. 3. 2. Edw. 6. 32.

No stay of Judgement for lacke of forme.

2 ¶ If any verdict of xii. men or more shalbe giuen in any action, suit, Bill, plaint, or demaund in any Court of record, the Judgement thereupon shal not be stayed, or reuersed by reason of any default in forme or lacke of forme, touching false latin, or variance from the register, or other defaults in forme, in any writ originall, or iudicial, count, declaration, plaint, bill, suit or demaund, or for want of any writ original or iudicial, or by reason of any imperfect, or insufficient returne of any sherife, or other officer, or for want of any warrant of attourney

atturney, or by reason of any maner of default in proces vpon or after any ayde, pier or voucher. Nor any such record nor iudgement after verdict giuen shalbe reuersed for any the defectes or causes aforesaid, any law, statute, or vsage &c. notwithstanding. But this Act shall not extend to any writ, declaration, or suit of appeale of felony, or murder, nor to any indictment, or presentment of felony, murder, treason, or other matter, nor to any proces vpon any of them, nor to any writ, Bill, Action, or information, vpon any popular or penal statute. 18. Eliz. 13.

Incontinencie.

Spirituall persons punished for incontinencie.

IT is lawfull to all Archbishops, Bishops, and other ordinaries, hauing episcopal Iurisdiction, to punish and chastice such priestes, clerkes, &c. being within the boundes of their iurisdiction, as shalbe conuicted before them by examination, and other lawfull proofe (requisite by the law of the Church) of adulterie, fornication, incest, or any other fleshly incontinencie, by committing them to ward and prison, there to abide, for such time as shalbe thought to their discretions conuenient, for the qualitie and quantitie of their trespas, and none of the said Bishops or Ordinaries shalbe therefore chargeable, of, to, or vpon any Accion of false imprisonment. 1. H. 7. 4.

Incumbent.

WHen the Queene shall make collacion or presentation to a benefice in an others right, the title whereupon she grounded shalbe well examined that it be true, and if at any time before iudgement giuen, the title (vpon good information) be not found true, or iust, the collation or presentment shalbe repealed, and the Patron or the possessor which sheweth and proueth the title to be false, shall haue as many writs in the Chancerie, as he will. 25. Edw. 3. 3. And if the Queene do present to a benefice, which is full of any Incumbent, the Queenes presentee shal not be receiued to such benefice by the Ordinarie, vntill the Queene hath recouered her presentation by proces of lawe, in her owne Court, And if any presentee of the Queenes be otherwise receiued, and the Incumbent put out without due proces, the said Incumbent so put forth may cõmence his suit, within one yeere after the induction or the Queenes presentation. 13. Rich. 2. 1. or at any time after the yeere at his pleasure. Hen. 4. 21.

Words not necessary in indictments.

THe words vi & armis, vz. cum Baculis, Cultellis, arcubus, & sagittis, or such other like, shal not of necessitie be compised in any inquisition, or indictment, nor the partie indicted of any offence, shall take any aduantage by writ of Error, plea, or otherwise, to auoyde any such inquisicion or indictment, for that the said wordes, or any of them, shall not be put in the said inquisition or indictment, but the said inquisitions and indictments lacking the foresaid words, or any of them, shalbe taken to all intents as good and effectual in law, as if the said wordes were in them. 37. H. 8. 8.

Proces against Indictees in an other countie.

2 ¶ The Justices assigned to heare and determine felonies, may direct their writts through al the Counties of England, where need shalbe, to apprehend those which be appealed, indicted, or outlawed of felony in one Countie and be dwelling or receiued in an other Countie. 5. Ed. 3. 11.

Indictment of persons dwelling in forreine counties.

3 ¶ Upon euery indictment, or appeale, by the which any of the Queenes liege people dwelling in other counties then there where the Indictment or appeale shalbe taken of Treason, felony, and trespasse, before Justices of peace, or any other hauing power to take such indictments or appealles, or other Commissioners or Justices in any Countie, franchise, or libertie within England, before arrest gent awarded vpon any indictment or appeale to be taken in form aforesaid, immediatly after the first writ of Capias vpon euery such indictment or appeale awarded and returned, an other writ of Capias shalbe awarded, directed to the Sherife of the Countie where of he which is indicted is, or was supposed to be conuersaunt by the same indictment, returnable before the same Justices or Commissioners, before whom he is indicted or appealed at a certaine day, containing the space of iii. monethes from the date of the said last writ by the which writ of second Capias, it shalbe contained and commanded to the same Sherife, to take the body of him which is indicted or appealed, if he may be found within his Bailiwike, If he cannot be found within his Bailiwicke, that the Sherife make Proclamation in two counties before the returne of the writ, that he which is so indicted or appealed, shall appeare before same Justices or Commissioners in the Countie, libertie, or chise, where he is indicted or appealed, at the day contayned in said last writ of Capias, to answere to the Queene, or to the party of the felony, treason or trespas, whereof he is indicted or appealed after which second writ of Capias so serued, and returned, if he which is so indicted or appealed doth not come at the day of the said writ

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Capias returned, the Exigent shall be awarded against such indictees or appellees, and euery of them. And if any Exigent be awarded vpon any such Indictment or Appell against the foresayd forme, or any outlawry thereupon pronounced, the sayde Exigent and the Outlawrie thereupon pronounced, and euery of them shall be voyde. And the party against whome such Exigent is awarded, or outlawrye pronounced, against the foresaide forme, shall not be endamaged in his life, landes, or goodes &c. And euerye one which is indicted or appealed in fourme aforesayde, after he is acquitted by verdict in fourme of lawe, may haue an Accion vpon the case, against euery Procurour of such Indictments or Appeales, in which accion there shalbe like Proces, as in an accion of trespalle Vi & armis. And if the sayde Procurours be attainted, the plaintife shall recouer treble dammages. But this statute extendeth not to indictments, or appeales taken in the Countie of Chester, Nor to any indictment or appeale of felonie or Treason, taken of any of the Queenes liege people, which at the time of the same felonie or treason supposed, is and was conuersant within the County whereof the indictment or appeale maketh mencion, but the like Proces shalbe made against such indicted or appealed person as hath bene vsed, 8. H. 6. 10. S. Exigent, 5. 6.

Accion against procurors.

Indictment or appeall in the County of Chester.

4 And if any such indictments taken before any Justices of peace, or any other hauing power to take such indictments or appeales, or other Justices or commissioners in any countye, fraunchise, or libertie of England, shalbe remoued into the Kings Bench, or els where by Cerciorare, or otherwise, then after such remouing, before any Exigent awarded vpon any such indictment or appeale in forme aforesaide taken, immediatly after the first writ of Capias, vpon euery such indictment or appeale awarded, and returned, an other writte of Capias shall be awarded, directed to the Shiriffe of the Countye, whereof he that is so indicted or appealed, is or was supposed to be conuersant by the same indictment, or appeale, returnable in the Kings Bench, at a certaine day, containing the space of three moneths, from the date of the said last writte of Capias, according to the maner and fourme that the Justices of peace and other ought to haue done, before such remouing. And if any Exigent be awarded vpon any such indictment or appeale after such remouing against the forme aforesaide, or any outlawrie thereupon pronounced, aswell the same Exigent as the outlawrie and euery of them be void, 10. H. 6. 6.

Proces vpon an indictment remoued into the kings Bench.

5 If

Proces vpon an indictment of felonie.

5 ¶ If a man be indicted of Felony before Iustices to heare & determine in their sessions, the Sheriffe shalbe commaunded to attach his body by writte or precept called a Capias. And if the Sheriffe returne therein, that the bodye is not found, immediately another writte or precept of Capias shall be awarded, returnable three weekes after, and therein it shall be compriſed that the Shiriffe shall seise all his cattels, and safely keepe them vntill the day of the writ or precept returned. And if the Sheriffe returne that the body is not found, and the indictee commeth not, the Exigent shall be awarded and the cattels shalbe forf. But if he come and yeld him selfe, or be taken by the sherife, or other officer, before the returne of the second Capias, the goods and chattels shalbe saued. 25. Ed. 3. 14.

1 In what sort an ordinarie shalbe indicted of extortion, or oppresion. S. Ordinarie. 2.

2 That no indictor shalbe put in enquests, vpon the deliuer of the party indicted. S. Iurors. 3.

3 Where iustices of peace may charge one Enquest to indict an other. S. Iurors. 9. Iustices of peace. 44.

4 For indictments taken in the county of Lancaster, of any person dwelling in another shire. S. Iurors. 17.

5 For indictments taken in an other county against any person dvvelling in the said County of Lancaster. S. Iurors. 18.

6 By what persons, and by whome empanelled, all indictments shalbe made. S. Iurors. 7.

7 That indictments taken before Shiriffes in their Turnes shall be deliuered to the Iustices of peace of the same shire. S. Sheriffes. 1

8 That indictors being sued in spirituall courtes, shall haue prohibition. S. Prohibition. 7.

9 That Iustices of peace may award proces against them who be indicted in the Shiriffes Turne. S. Sheriffes. 13.

10 For the order of taking Indictments in the Sheriffes turne. S. Sheriffes. 12.

Inholders.

How an Inholder shall sell hey, otes, litture.

INholders or Hostelers, shal sell their hay and otes at a reasonable price, and shall take nothing for their Litture. 13. R. 2. 8. And if any Inholder doe take aboue a halfpeny more for a bushell of otes then the common price in the market, and that be duely proued, he shall forf. the quadruple value of that which he hath taken ouer, and that aswell at the parties, as at the Queenes suit. 4. H. 4. 25.

2 ¶Euery Hosteler or Inholder (except hereafter excepted) which maketh horsebread in his house or els where, shall forfayte the treble value thereof. 13.R.2.8. 4.H.4.25. But euery Hosteler or Inholder, dwelling in any Towne or Village being a Thorough fare, or common passage within this Realme, and beyng no Citie, Towne corporat, or Market towne (wherein any common Baker exercising the occupation of baking, which hath bene prentice to the said occupation vii. yeeres, is dwelling) may make within his house, horsebread sufficient, lawfull and of due assise, according to the price of graine, any thing mentioned in eyther of the foresayde statutes, notwithstanding. 32.H.8.41.S. Iustices of peace, 50.. Horsebread.

Inrolments.

NO manors, lands, tenements or other hereditaments shal passe, alter or change from one to another, whereby any estate of inheritance or freehold shalbe made or take effect in any person or persons, or any vse thereof to be made by reason onely of any bargaine and sale thereof (except the same bargaine and sale be made by writing indented, sealed and inrolled in one of the Queenes courtes of record at Westm. or els within the same Countie or counties, where the same manors, landes and tenements, so bargained and solde lye, or be, before the Custos Rotulorum, and two Iustices of the peace, and the Clerke of the peace of the same coũty or counties, or two of them at the least, whereof the Clerke of the peace to be one, and the same inrolment to be had & made within vi. moneths next after the date of the same writing indented. 27.H.8.16. Inrolments of bargaine and sale of lands.

2 ¶The Custos Rotulorum, or Iustices of peace, & clerke shal take for the inrolment of euery such writing indented before them, where the land comprised in the same writing exceede not the yerely value of fourty shillings, ii.s. that is, twelue pence to the Iustices, and viii.d. to the Clerke, and for the inrolment &c. where the lande comprised doth exceede the summe of xl.s. in yeerely value, v.s. that is, ii.s. vi.d. to the Iustices, and ii.s. vi.d. to the Clerke for inrouling the same deede. And the clerke of the peace of euery county, shal sufficiently inroll in parchment the same writings indented, and shall the end of euery yeere deliuer the rolles thereof to the Custos Rotulorum of the same county, there to remaine, to the intent that euery party which hath to doe therewith, may resort to him and see the effect thereof. 27.H.8.16. The fees for inrolment in the countie.

3 ¶But

Corporat townes vsing to inrolle.

3 But this act doth not extend to any landes, tenements or hereditaments lying within any Citie, borough, or towne corporat, wherein the Maiors, Recorders, or other officers haue auctoritie, or haue lawfully vsed to inroll any euidences, deeds, or other writings within their precincts and limits, 27. H. 8. 16. For recoueries, deeds inrolled, and releases taken and knowledged before them, be and remaine of like force to al intents, as any of them were before the making of the said act, 34. H. 8, 22.

1 In what case it is necessary, that a Safecondite should be inrolled, See Safecondite, 1.

Iointenancie.

Jointenancy in assise pleaded by deed.

IF the tenāt in assise of Nouel disseison alledgeth against the plaintife, that he holdeth the tenements &c. ioyntly infeoffed with his wife, or with some straunger not named in the writte, and sheweth deede that testifieth the same, and prayeth iudgement of the writ, the plaintife offer to verifie by the assise, that the tenant at the day of the purchasing of the writte was sole tenant, then the Iustices shall retaine the sayde deede in their keeping, as that which is in effect denied. And they shall warne by writte the partye which is absent that he appeare at a certaine daye, together with the other tenaunts to answere to the plaintife, aswel of the exception, as of the tenements demaunded, and put in viewe &c. At which daye if both the said tenaunts appeare, and auow the feoffement, they shall answere and maintein the exception alledged by one of thē, & likewise plead further to the assise, as though the writ had byn purchased iointly against them. And if it be found by the assise that they were not iointly infeoffed, then though the assise passe for the tenaunts against the plaintife, yet they shalbe one yere imprisoned, for alledging such exception. But the Iustices shall not admit any such exception by Baylifs of any tenants. And if he which alledgeth ẏ exceptiō, absent himself at the day, & the other which is said Jointfeoffee appeareth, disauoweth ẏ deed, yet the assise shalbe taken against the tenant that is absent by his default. And if it be founde by the assise ẏ they were not Jointfeoffees, at the day of the purchasing of the writ, & likewise that the tenant did disseise the plaintife, thē the plaintife shal recouer his seison and his double damages, and he that alledged the exception shalbe punished in fourme aforesaide. And if neither of the tenants come at the day, then the Assise shalbe taken against them by their default. And if it be found that the exception be true and lawfully alledged, the plaintifes writte shal be quashed, whether both or one onely come, 24. Ed. 1.

Jointenancie shall not be pleaded by baily.

2 ¶ In the same maner, if in assise of Mortdaunceſter, or Iuris vtrum, at the first day that the partie appeare, the tenaunt alledgeth the foreſaid exception, and the plaintife offreth to verifie by assise, that the tenant at the day of the purchasing of his writ was sole tenant, then the same proces, & order of proceeding shalbe obserued, as before is said in assise of Nouel disseison, and the offendors in like sort punished. 24. E. 1. Iointenancy pleaded in Mortdaunceſter, or Iuris vtrum.

3 ¶ In other writs whereby landes be demaunded, if at the first day of apparance, the tenant alledgeth the foreſaide exception, & the demandant offereth to verifie his writ by the Iury of the countrey, then the same Proces shall be obserued betweene the parties, vntill the Iury haue passed betweene them, and if it be found by the Iury, that the exception was truely alledged, the writ shal be abated. But if it be found that the exception was falsely and maliciously alledged to the hurt of the party, then the demandant shall recouer seison of the lads demaunded, and the tenant shalbe imprisoned as is afore-said, & answer damages after the discretiõ of the Iustices, 24. Ed. 1. Stat. de coniunctim feoffat. Iointenancy pleaded in anye Precipe.

1 VVhere, and by what meanes, iointenants are compellable to make partition. S. Partition, 2. 3. 4.

Iurors, Iuries, and Enqueſtes.

IF any Sheriffe or Bailiffe doe put into any Iurie (others then such as be next neighbours, most sufficient, and least suspicious,) and is thereof attainted, he shall pay vnto the plaintife his double damages, and be amerced vnto the Queene. 28. Ed. 1. 9. 34. Ed. 3. 4. 42. Ed. 3. 11. What sort of people shalbe returned vpon euery Iurie.

2 ¶ Old men aboue lxx. yeres of age, being continually sicke, or diseased at the time of the summons, or not dwelling in the countrey, shall not be put in Iuries, or petit assises, And there shall be no mo summoned in one Assise then xxiiii. West. 2. 13. Ed. 1. 37. Olde men decrepit. But xxiiii. summoned.

3 ¶ No indictor shalbe put in enquests vpon deliuerance of the indictees of felonie or trespas, if he be chalenged for the same cause, by him which is indicted. 25. E. 3. 3. S. Chalenge. 6. No indictor shalbe put vpõ the deliuery of the party indicted.

4 ¶ No Foster, Uerderor, Regardour, Agistor, or other officer of the Forrest, shall be put in any Assises, Iuries, or Enquests, to be taken out of the same Forrest, 34. Ed. 1. No officer of the forrest shall be sworne in enquests.

5 ¶ If any Iurour sworne in Assises, or other Enqueſtes to be taken betweene the Queene and the partie, or betweene party and party, do by himselfe or any other, take any thing of the plaintife or defen- Iuror taking reward to giue his verdict.

defendant to giue his verdict, and thereof is attainted, at the suit of the partie, which will sue for him selfe or for the Queene, or of anye other person (entering his plaint by bill, immediatly before the Justices, before whome the Jurie was sworne) the saide Jurour shall pay ten times so much as he hath receiued. And al those which be imbraceors to leade & procure such Enquestes in the countrey to make a gaine and profite thereof, shalbe punished as the Jurors, and if the Juror or Embraceor so attainted haue not wherewith to make recompence in fourme aforesayde, he shall be one yere imprisoned, which imprisonment shall not be pardoned for any fine, and the party greeued may haue his accion before other Justices, if he will. But no Justice or other Officer shall enquire of office, vpon any of the points of this stat. but onely at the suite of the party, or of other as aforesaid. 34. E. 3. 8. 38. E. 3. 12. S. Attaint. 17.

Decies tantū.

Embraceors.

Ambidexter.

6 ¶ If any Juror in assises, Juries, or enquests, take of the one part, & of the other, and be thereof duly attainted, he shal not after be put in any assises, iuries, or enquestes, but shall be sent to prison, and further punished at the Queenes pleasure. And the Justices before whom such Assises, iuries, and enquestes shall passe, haue power to inquire and determine, according to this statute. 5. Ed. 3. 10.

Jurors in indictments shal be returned by the Shirife, without the denomination of others.

7 ¶ No indictment shalbe made by any persons which be outlawed before Justices of recorde, or which haue fled to sanctuarye for Treason, or felony, there to haue refuge, but by enquest of the Queenes leige lawfull people, returned by the sherifes or Bailifes of franchises without any denomination to the Sherifes or bailifes of franchises before made, of any person of the names which by him shalbe returned (except it be by the officers of the said shirifes or bailiffes of franchises knowen & sworne to make the same, & other ministers to whom it appertaineth by ỹ lawes to make ỹ same. And if any indictment be made in any point to the contrary, the same shall be voide and reuoked. 11. Hen. 4. 9. See the force of this stat. for the denomination in some respectes altered by the statute next following.

Panels reformed by the Justices.

8 ¶ But all panels returned, which be not at the suite of any partie, that shall be made, and put in, by euerye sheriffe & their ministers, before anye Justice of gaole deliuerie, or Justices of peace (whereof one to be of the Quorum) in their open sessions, to inquire for the Queene, shalbe reformed by putting to, and taking out of the names of the persons, which so be impanelled, by euery sheriff and their ministers by the discretion of the same Justices, before whome such

such panels shall be returned. And the same Iustice and Iustices shall commaund euery Shirife, and their ministers in their absence, to put other persons in the same panel by their discretions. And the same panels so reformed by the said Iustices, be good and lawfull. And if any Sheriffe, or other ministers, at any time doe not returne the same panels so reformed, then euery such shiriffe or minister so offending, for euery such offence shall forf. xx. li. to the Q. & I. to be recouered by A. B. &c. wherein no W. E. P. &c. and the Queenes pardon shalbe no barre against the party in the same, that shall sue any such action. 3. H. 8. 12.

9 ¶ The Iustices of peace of euery shire of this realme, may take by their discretion an enquest, (whereof euery man shall haue landes and tenements to the yerely value of xl. shillings at the least) to enquire of the concealment of other enquests taken before them and before other, of such matters and offences as are to be enquired and presented before Iustices of peace, whereof complaint shall be made by bill or billes, as well within franchise as without. And if any such concealment be found of anye enquest had or made within the yeere after the same concealment, euery person of the same enquest shall be amerced for the same concealments, by the discretion of the same Iustices of peace, the saide amerciaments to be assessed in plaine sessions. 3. H. 7. 1. S. Leetes. 6. 11.

Enquest to enquire of concealment of other enquests

10 ¶ No sheriffe, vndersherife, or bailiffe of libertie, shall put in any Recognisance of assises, iuries, enquests, or attaintes that shall passe out of their proper Countye, any person of their baily wickes, except he hath lands and tenements to the yerely value of C. shillings at the least) or that shal passe within the county (except he hath lands to the value of fourty shillings yeerely. 21. Ed. 1.) Neyther shal any of them, or any other Bailiffe returne vpon any writ or precept to them directed, to returne any Enquestes in any panell thereupon to be made, any bayliffes, officers, or seruants to anye Sheriffe, vndersheriffe, sheriffes clerke, Coroner, Stewarde of franchise, Bailiffe, or warden of prisons, in any panell by them so to be made. 3. H. 6. 10.

Sufficiencie of free hold.

Sherife, crowner, or gaolers seruant.

11 ¶ No person shall be admitted to passe in any Enquest vpon triall of the death of a man, nor in any Enquest betwixt partie and partye in plea reall, or in plea personall, whereof the debt and damages declared, doe amount to fourty markes, if the same person hath not landes or tenements of the yeerely value of xl. shillings aboue al charges, so that he be challenged for ỳ cause by the party &c.

Enquest touching the life of man, plea real, or xl. markes damages.

2. H. 5. 3.

2.H.5.3. But this statute doeth extende onely to enquests to be taken or made betwixt denizen and denizen, and not to enquestes or proofes to be taken or made betwixt aliens and denizens, according to the statute of 28.Edwar.3.13. for that purpose ordeined. 8.Hen. 6.29.

Iurors to inquire of forcible entrie.

12 ¶ Upon complaint made to one, or more Justices of peace, of entrie or detaining of landes with force, the sayde Justice shall make his precept to the Sheriffe of the same county, commanding him in the Queenes behalfe, to cause appeare before him, sufficient and indifferent persons, dwelling neere vnto the place where such force is, to enquire thereof, whereof euery one hath landes or tenementes to the cleere yeerely value of xl.s. vpon euerye of which Iurie the Shiriffe shall returne issues vpon the first precept, twenty shillings, vpon the second xl. shillings, vpon the third C.s. and at euery day after, double. And if the sheriffe, or any bailiffe hauing returne of writtes, be slacke and do not duely execute the saide precepts, he shall forfaite for euery default xx.li. to the Queene, and also pay to her a fine. 8.Hen.6.9.

Iurors returned before Eschetors or commissioners.

13 ¶ If a Sheriffe or other person, which ought to returne writtes or precepts, do returne before any Eschetor or Commissioner, any persons to enquire of landes or tenements, except euery of the same Iurie so returned, or other to his vse, haue landes or tenements of the yeerely value of fourty shillings aboue all charges within the same shire where the enquirie shall be made, he shall forfeit for euery person so returned, fourty shillings (except the same Iurors be returned before an Eschetor in a citie or corporat towne, which is made by any person hauing priuiledge to make Eschetors.) 1.H.8.8. 3.H.8.2.

Iurors in the shiriffs turne.

14 ¶ If any bayliffe, or other officer in any county of this realme doe returne or impanell in any panell to be taken or put in, or vpon any inquisition, or inquirie, before the shiriffe in his turne, other then such as be of good name and fame, and which haue landes or tenements of freehold within the same counties, to the yeerely value of twenty shillings at the least, or else copyhold landes and tenements holden by custome of the manor within the sayde County to the yeerely value of xxvi.s.viii.d. aboue all charges at the least, he shall forfeite for euery person so impanelled, or returned, not being of the sufficiencie aforesaid fourty shillings, and the shiriffe other fourty shillings, to the Q. and I. &c. to be recouered by A. of debt, wherein no E.P. &c. And euery indictment taken before the Sheriffe in his

his turne, in any other maner, is voide. 1. R. 3. 4.

Triall of felonies in corporat Townes.

15 ¶ Euery perſon being the Queenes naturall ſubiect borne, which either by name of a Citizen or a Freeman, or any other name doth enioy the liberties of any Citie, Borough, or Towne corporat, where he dwelleth, being worth in moueable goodes to the cleare value of xl. li. ſhall be admitted in triall of murders and felonies in euery ſeſſions and gaoles of deliueries kept in and for the liberte of ſuch Cities, Boroughs, or Townes corporat, albeit he hath no freehold. But this acte extendeth not to any Knight or Eſquier, dwelling, abiding, or reſorting in, or to any ſuch Citie &c. 23. Hen. 8. 13.

Panels in London of ſuites depending in the Queenes courtes at Weſtminſter.

16 ¶ The Sherifes of London haue authoritie to returne in panels of all accions and ſuites depending in the Kings Bench, Common place, or Eſchequer, and triable at Saint Martens the grand in London by Niſi prius, perſons being Citizens, hauing goodes to the value of C. markes or aboue, to trie the iſſues ioyned in euery ſuch accion or ſuite. And the perſons ſo returned ſhall be ſworne and doe in all ſuch Iuries likewiſe in euery thing, as other perſons ſhall doe, hauing landes &c. to the yeerely value of xl. s. ouer all charges. The Sherifes of the ſaid Citie ſhall returne vpon the firſt diſtreſſe xx. d. in euery ſuch accion or ſuite vpon euery of the Iurors impanelled to trie the iſſues ioyned of all things triable in London by proces of Niſi prius out of the ſaide courts, vpon the ſecond diſtreſſe iii. s. iiii. d. and vpon euery diſtreſſe after that, the double value, vntill a full Iury in euery ſuch accion or ſuit ſhal appeare, to be ſworne to trie the iſſues ioyned in the ſame. And if the Sheriffes make any returne vpon ſuch diſtreſſe, contrary to the forme aforeſaid, they ſhall forfaite x. li. to the Q. and I. wherein no W. P. 4. H. 8. 3. 5. H. 8. 5.

Indictment in the Countie of Lancaſter, of a forreine dwelling in an other ſhire.

17 ¶ Euery indictment to be taken before any of the Queenes Iuſtices in the Countie Palentine of Lancaſter, or before any Sheriffe in his turne, in the ſaide Countie, whereby any perſon or perſons be ſuppoſed by the ſame indictment to be, or to haue bene inhabiting or conuerſant out of the ſaide Countie, and within any other Countie within England, ſhall be taken by verdict of twelue men, and of euery of them or ſome other to their vſe, ſhall haue landes or tenementes to the yeerely value of a C. s. And no proces ſhall be made out of ſuch indictment, before it be duely examined before the Iuſtices, within the ſaide Countie, whether the ſaide Indictors, and euery of them, at the time of ſuch in-

dictment taken, had landes and tenementes within the ſaide Countie of Lancaſter to the yeerely value of C.s. aboue all charges. And if it be found that euery of the ſaide Indictors at the time of the ſaide indictment taken, had not landes &c. to the ſaide yeerely value of C.s. then the indictment, as to ſuch perſons ſo indicted, ſuppoſed by the ſaid indictment to be inhabiting or conuerſant out of the ſaid Countie of Lancaſter, ſhalbe voyde. 33. Hen. 6. 2.

18 ¶ And in like ſort euery ſuch indictment taken in any other Countie, of any perſon inhabiting within the Countie of Lancaſter, ſhall be taken by the verdict of twelue men, euery of them hauing landes to the yeerely value of C.s. in that other Countie, or elſe the indictment ſhall be voyde. 33. H. 6. 2.

Venire facias where eche Iuror muſt diſpend xl.s. of freehold.

19 ¶ In euery caſe where ſuch perſons as ſhould paſſe vpon the triall of any iſſue ioyned in any of the Queenes courts of record (commonly holden at Weſtminſter,) ought by the lawe to diſpend xl.s. by the yeere of freehold for terme of life, the writtes of Venire facias, which ſhalbe awarded for the impanelling of ſuch perſons as ſhall trie the ſame iſſue, ſhall be Precipimus, &c. quod venire facias xii. liberos &c. de viſen. de B. quorum quilibet habeat ad dragint. ſolid. terre, tenement. vel reddit. per annum, per quos &c. And vpon euery writte which ſhall haue the ſaide clauſe, the Sherife or other miniſter to whom the making of the ſaide panell ſhall appertaine, ſhall not returne in any ſuch panell, any perſon vnleſſe he may diſpend fourtie ſhillings by the yeere at the leaſt of eſtate of freeholde, out of auncient demeſne, within the Countie where the iſſue is to be tried, and alſo ſhall returne in euery ſuch panell

Sixe Hundredors.

ſufficient Hundredors at the leaſt, if there be ſo many within the ſaid Hundred where the venewe lyeth, vpon paine to forfaite euery perſon returned in any ſuch panell, that cannot diſpend fourtie ſhillings by the yeere, twentie ſhillings, and for euery Hundredor omitted, twentie ſhillings. 35. H. 8. 6. 2. Ed. 6. 32.

Venire facias where the Iurors neede not diſpend xl.s. of freehold.

20 ¶ And in euery writte of Venire facias, wherein the ſaide clauſe (Quorum quilibet &c. ſhall be omitted) the Sherife or other miniſter to whom the making of the panell ſhall appertaine, ſhall not returne in any ſuch panell, any perſon vnleſſe he may diſpend ſome landes or tenements of eſtate of freehold, out of auncient demeſne, within the Countie where the iſſue is to be tried, and alſo ſhall returne in euery ſuch panell ſixe ſufficient Hundredors at the leaſt, if there be ſo many within the Hundred where the venewe lyeth, vpon the like paine, as is before limitted. But

ther of theſe foreſayde two branches, ſhall extende to any Citie or Towne corporat, or to any Sherife or miniſter in the ſame, for the returne of any panell to be made of perſons inhabiting in the ſaide Cities &c. but they may returne ſuch perſons as before they might haue done. 35. H. 8. 6. 2. Ed. 6. 32. Iurors returned in townes corporat.

21 ¶ In euery writte of Habeas corpora, or Diſtringas, with a Niſi prius deliuered of record to the Sherife or other miniſter to whom the making of the returne ſhall appertaine, where a full Iurie ſhall not appeare before the Iuſtices of aſſiſe, or Niſi prius, or elſe after apparance of a full Iurie, by challenge of any of the parties, the Iurie is like to remaine vntaken for default of Iurors, then the ſame Iuſtices vpon requeſt made by the demaundant or demaundant, may commaunde the Sherife or other miniſter, to whom the making of the ſaid returne ſhall appertaine, to appoint as often as neede ſhall require, ſo many of ſuch other able perſons of the ſaide Countie, then preſent at the ſaide aſſiſes or Niſi prius, as ſhall make vp a full Iurie, which perſons ſo to be named and impanelled by the Sherife or &c. ſhalbe added to the former panell, and their names annexed to the ſame, and euery of the parties ſhall and may haue his challenge to the Iurors ſo named and annexed to the former panell, in ſuch wiſe as if they had bene impanelled vpon the Venire facias, and the Iuſtices ſhall and may proceede to the triall of euery ſuch iſſue, with thoſe perſons that were before impanelled and returned, and with thoſe added and newely annexed to the ſame, in ſuch wiſe as they might or ought to haue done, if all the ſaide Iurors had bene returned vpon the Venire facias. And the ſame triall is as good to all purpoſes, as if it had bene by twelue of the Iurors impanelled, of ſuch perſons, as the ſaid Sherife &c. ſhall name and appoint, or any of them after they ſhalbe called, be preſent, and doe not appeare, or after their apparance, doe wilfully withdraw themſelues from the preſence of the Court, then the Iuſtices may ſet ſuch fine vpon euery ſuch Iuror, as they ſhall thinke good, the ſame to be leuied in ſuch ſort, as iſſues forfaited by Iurors for default of their apparance haue beene accuſtomed. But neuertheleſſe, if perſons as were returned in the panell by the Sherife or &c. doe ſhall not appeare, but make default, ſhall loſe the iſſues vpon them returned, in ſuch wiſe, as if the Iurie had remained by default of Iurors, 35. Henrici. 8. 6. 2. Edward. 6. 32. And the benefite of the foreſayd Statute of 35. Henrici. 8. ſhall Tales de circumſtantibus, at the pl. requeſt.

Tales de circumstant. in Wales, Chester, Durham and Lancaster.

extend to the xii. Shires of Wales, and to the Counties Palentine of Chester, Durham and Lancaster, for the making vp of a full Iurie de Circumstantibus, the triall with them &c. 5. El. 25.

Tales de circumstant. where the Queene, or other for her is pl.

22 ¶ And euery clause, sentence, article and prouiso compiled in the said act of 35. H. 8. shall be taken and expounded to giue the like and same aduantage to the Queenes Maiestie, her heires, and successors, and to all such persons, as shall pursue any accion, bill, plaint, or information for the Queene, her heires and successors only, or for her and the partie, vpon request made to the Justices in the Queene, or himselfe, by the Pursuant or his Attourney, as the partie plaintife, in any other accion should or might haue, by vertue of the foresaid act. 4. & 5. P. & M. 7.

Tales de circumstantibus for the def.

23 ¶ In all cases where the partie plaintife, or demaundant by any statute heretofore made, may haue vpon his request, made vnto the Justices of Nisi prius, within England, or to the Justices of Oyre, or of assises of the xii. shires of Wales and of the Counties Palentine of Lancaster, Chester and Durham, a Tales de circumstantibus, in euery such case, the parties tenantes, actors, auowants and defendants (if the plaintifes or demaundants shall vpon the calling of the principall panel or Jurie, forbeare or refuse to pray the same) shall and may vpon their request haue vpon the same record & by the same Justices, the Tales, or Taleses de circumstantibus to them graunted, in like maner, forme and degree to all respects as the plaintife or demaundant in any suite or accion may haue the same by any statute or ordinance heretofore made or set forth. 14. El. 9.

Tales for the def. in popular accions.

24 ¶ And likewise the def. shalbe admitted to pray and haue Tales de circumstantibus in all popular accions, informations, billes, or suites commenced or had in any of the Queenes courts of record, vpon any penall lawes or statutes, wherein any person shall sue, prosecute or informe, as well for the Queene, her heires and successors, as for himselfe, whereupon issue shalbe ioyned, to be tried by the Countrie. 14. El. 9.

Issues returned vpon Iurors.

25 ¶ Vpõ euery first writ of Habeas corpora, or Distringas, with a Nisi prius deliuered of record to the Sherife or other minister, to whom the making of the returne shall appertaine, the said Sherife &c. shall returne in issues vpon euery person impanelled and returned vpon any such writ, at the least v. s. at the second writte &c. x. s. at the least, and at the third writte &c. xiii. s. iiii. d. and vpon euery writte that shall be further awarded to trie any such issue, the double issues last before specified, vntill a full iurie be sworne, or the

proces otherwiſe ceaſed or determined, vpon paine to forfaite for euery returne made to the contrary, fiue pounde. 35. Hen. 8. 6. 2. Ed. 6. 32.

26 ¶ If the graund Iurie in attaint appeare not vpon the firſt diſtreſſe had againſt them, ſo that the Iurie for their default doe remaine, he that maketh default ſhall forfaite to the Queene vpon the firſt diſtreſſe xx. s. vpon the ſecond diſtreſſe fourtie ſhillings, and after making default, for euery default fiue pound, and the like forfaiture ſhall they make which be named in the Tales. 23. Hen. 8. 3. 13. Eliz. 25. Iſſues in attaint.

27 ¶ Vpon a reaſonable excuſe for default of appearaunce of any Iuror ſufficiently proued before the Iuſtices of aſſiſe or Niſi prius at the day of their apparaunce by the othes of two lawfull and honeſt witneſſes, the ſame Iuſtices may diſcharge euery ſuch Iuror of the iſſues vpon him returned, and the Sherife or other miniſter hauing commaundement by ỹ Iuſtices, to omit ỹ returning of ſuch iſſues vpon the iuror, ſhal be diſcharged of the penalties for the not returning of the ſaid iſſues. If the aſſiſe or Niſi prius be diſcontinued for the not comming of the Iuſtices, or for any other cauſe other then for lacke of Irorors, then euery of the Iurors ſhalbe diſcharged of forf. of any iſſues vpon him returned. And alſo the Sherife or other miniſter ſhall be diſcharged for the not returning of the iſſues. 35. H. 8. 6. 2. Ed. 6. 32. 5. El. 25. Excuſe for default of Irorors apparance.

28 ¶ If vpon any writ of Habeas corpora, or Diſtringas, with a Niſi prius, iſſues be returned vpon any Hundredors or Irorors by the Sherife, or other miniſter, to whom the execution of the ſame writte ſhall appertaine, whereas the ſame Hundredors and Irorors ſhall not be lawfully ſummoned, warned or diſtrained in that behalfe, then euery ſuch Sherife or miniſter, ſhall loſe for euery ſuch offence, double ſo much as the ſaid iſſues returned ſhall amount vnto, to the Queene and I. to be recouered by A. I. &c. wherein no eſſoigne, E. P. &c. 35. H. 8. 6. 2. Ed. 6. 32. 5. El. 25. Iſſues returned vpon a Iuror not ſummoned.

29 ¶ In all maner of Enqueſtes & proofes, which be to be taken or made amongſt Aliens and Denizens, be they Marchantes or others, as well before the Maior of the Staple, as before any other Iuſtices or miniſters, although the Queene be partie, the one halfe of the Enqueſt or proofe ſhall be of Denizens, and the other halfe of Aliens, if ſo many Aliens be in the Towne or place where ſuch Enqueſt or proofe is to be taken, that be not parties, nor of the parties in contractes, pleas or other quarels whereof ſuch An Enqueſt ſhall be, de medietate lingue, where an alien is partie.

Enqueſtes or proofes ought to be taken. And if there be not ſo many aliens, then ſhall there be put in ſuch Enqueſtes or proofes as many aliens, as ſhalbe found in the ſame Townes or places, which be not thereto parties, nor with the parties as afore is ſaide, and the remanent of Denizens, which be good men and not ſuſpicious to the one partie nor to the other. 25. Edward. 3. 8. 28. Edward. 3. 13. 2. Hen. 5. 3. 8. Hen. 6. 23.

Egyptians. 30 ¶ But if it happen any outlandiſh perſon, calling himſelfe an Egyptian or any ſuch ſtranger, to commit within this Realme any murder, robberie or felonie, and thereof be indicted and arraigned, and doe pleade not giltie, or any other plea triable by the Countrie, then the Enqueſt that ſhall paſſe betweene the Queene and ſuch partie, ſhall be altogether Engliſhmen. 22. Henri. 8. 10. And in like ſort ſhall the Enqueſt be, where any of the ſayde Egyptians is indicted of felonie for continuance within this Realme by the ſpace of one moneth. 1. and 2. Philippi & Marie. 4. 5. Elizabeth. 20.

Where Iuries ſhall not be compelled to appeare at Weſtminſter. 31 ¶ No Iurie ſhall be compelled to appeare in any of the Queenes Courtes at Weſtminſter, for the triall of any iſſue in any ſuite, vpon any penall lawe, for any offence committed above thirtie miles from the Citie of Weſtminſter, except in caſe where the atturney generall for the time being, for ſome reaſonable cauſe in that behalfe ſhewed, ſhall require the ſame to be tried at the barre in any of the Courtes of the Queenes Maieſtie, her heires or ſucceſſors at Weſtminſter aforeſayde, which requeſt ſhall be noted on the backſide of the writte of Diſtringas thereupon awarded, to the ende the Sherife or his Bailife may and ſhall ſignifie the ſame to the Iurie that are in ſuch caſes impanelled, 18. Elizabeth. 5.

The Iurie may giue their verdict at large. 32 ¶ The Iuſtices of aſſiſe ſhall not compell the Iurors precisely to ſay that it is a diſſeiſon, or not, ſo they wil declare the truth of the matter, and require the Iuſtices helpe. But if they willingly ſay, that it is a diſſeiſon or not, their verdict ſhall be receiued at their owne perill. Weſtm. 2. 13. Ed. 1. 30.

1 That Iuries taken by the Marſhal of the Queenes houſe, ſhall be of the Countrie there about. S. Marſhal 4.

2 That a Iurie charged to inquire of treſpaſſe committed within a Foreſt, ſhall giue their verdict where they receiued their charge. S. Foreſts 7.

3 Of what ſufficiencie Iurors returned to inquire of Riot, Rout or

or vnlawfull aſſemblie ought to be. S. Riots 7. 14.

4 Of what ſufficiencie Iurors returned in attaint ought to be. S. Attaints 1, 6. 7. 14. 21.

5 Where the Iurie ſhall be de Medietat. lingue. S. Attaints 21.

6 Where Iurors may be impanelled in one Countie to inquire of any act, thing, or matter in an other. S. Attaint 7.

7 What Iurors ſhalbe impanelled for the triall of him which felonioufly imbeſeleth a record. S. Felonie 18.

8 Where a Iurie ſhall be taken for an Infant as though he were of full age. S. Age 2.

9 Within what time panels of aſſiſes ſhall be arrayed and copies deliuered to the parties. S. Aſſiſe 8.

10 Where a Tales ſhalbe awarded into an other Countie, then where the iſſue is to be tried. S. Attaint 7.

Iuſtices of Aſſiſe, and gaole deliuerie.

NO Lord nor other of the Countrie great or ſmall, ſhall ſit vpon the Bench with the Iuſtices of aſſiſe in their ſeſſions, in any of the Shires in England, vpon paine of a great forfaite to the Queene, neither the Iuſtices ſhall ſuffer the contrarie to be done. 20. R. 2. 3. No man ſhall ſit with the Iuſtices of aſſiſe.

2 ¶ No Iuſtice, nor other man learned in the lawes of this Realme ſhall vſe nor exerciſe the office of Iuſtice of aſſiſe, within any Countie where he was borne, or doth inhabite, vpon paine to forfaite for euery offence done contrary to this acte C. li. to the Q. and I. to be recouered by A. I. &c. wherein no W. E. P. But this acte doth not extend to any Clerke of aſſiſes aſſociat to any Iuſtice of aſſiſe, for he may exerciſe the office of Clerkeſhip of aſſiſe in any Countie, Citie, or Towne, where he doth dwell, or was borne, Neither doth this act extend vnto the Iuſtices, Iuſtice Clerkes, or Clerke of aſſiſes within the Queenes Duchie and Countie Palentine of Lancaſter, nor to the Iuſtices of the one Bench or other for taking, hearing, or determining aſſiſes in the ſaid Courtes, nor to any Iuſtice that ſhal take any aſſiſe by or vpon adiournement for difficultie of the ſame, nor to any Maiors, Sherifes, Recorders, Stewards, Bailifes, Sutors, or other Officers in any Citie, Borough, or Towne, but that they may be Iuſtices of aſſiſe, of freſh force, and of other aſſiſes, in the ſame Citie, Borough, or Towne, where he or they doe dwell, or were borne, as they might haue beene before. 33. Hen. 8. 24. 8. R. 2. 2. No man ſhall be Iuſtice of aſſiſe in his own Countie.

Where Iuſtices ſhall keepe their ſeſſions.

3 ¶ Iuſtices of aſſiſe and gaole deliuerie, ſhall keepe their ſeſſions in the principall and chiefe Townes of euery Countie, wher where the Countie courtes of the ſame Counties be holden, or ſhalbe holden. 6.R.2.5. And the ſeſſions of the Iuſtices of aſſiſe and gaole deliuerie within the Countie of Cumberland ſhalbe holden in the time of peace and truce in the Citie of Carleile and in none other place. 14.H.6.3.

1 What ſuites commenced before Iuſtices of aſſiſe ſhall not be diſcontinued by death, newe commiſſion, aſſociation, or not comming of the Iuſtices. S. Diſcontinuance. 2.6.

2 That newe Iuſtices of gaole deliuerie haue authoritie to giue iudgement againſt a priſoner found guiltie, and repried. S. Diſcontinuance. 5.

Iuſtice and right.

IUſtice ſhalbe ſolde, deferred, or denied to no man. Magna charta. 9.H.3.29. And the Iuſtices of any benche or court whatſoeuer, ſhall not let to doe, or execute the common lawe for any commaundement which ſhall come vnto them, vnder the great ſeale or priue ſeale. 14.Ed.3.14.

Iuſtice of peace.

Who ſhall be Iuſtices of peace.

IN euery Countie of England, good and worthie men which be no mainteiners of euill, nor Barrators in the Countrie, ſhalbe aſſigned Iuſtices of peace. 1.Ed.3.16. which Iuſtices ſhalbe aſſigned (of the Lordes. 34.Ed.3.1.) and the moſt worthie and ſufficient Knightes, Eſquiers, and men learned in the law, of the ſame Counties. 13.R.2.7. by the aduiſe of the Chauncellor, and the Queenes counſel, without taking other perſons dwelling in forreine ſhires to execute the ſame office, except Lordes and Iuſtices of aſſiſe, and the Queenes chiefe Stewards of her Duchie landes in the North and South partes, for the time being. 2.H.5.1.

Biſhop of Elie.

2 ¶ The Biſhop of Elye and his ſucceſſors, and their temporall Stewardes of the Iſle of Elye for the time being, ſhalbe Iuſtices of peace, within the ſaid Iſle, and ſhall vſe within the ſame Iſle all things that doe belong to any Iuſtice of peace within any Counties of this Realme, And ſo ſhall the Biſhop of Durham &c. and his temporall Chauncellor of the Countie Palentine of Durham, be Iuſtices within the ſame Countie &c. And in like ſort ſhal the Archbyſhop of Yorke &c. and his temporall Chauncellor of the Shire and Libertie of Heram called Hertoldſham, be Iuſtices within the ſame Shire. 27.H.8.25.

Durham.

Yorke.

3 ¶ Eu

3 ¶ No man shall be appoynted Justice of peace in any Countie, if he haue not lands or tenements to the value of twentie pound by yeere, and if any man be ordeyned Justice of peace in any Countie, which hath not landes and tenementes to the sayde value, he shall gyue knowledge thereof to the Chauncellor of Englande, which shall put an other which is sufficient in his place, and if he doe not gyue notice thereof within one moneth, after he hath knowledge of the same commission, or if he sitte or make any warrant, or precept, by force of such commission, he shall be put out of that commission, and also shall forfayte twentie pound to the Q. & I. to be recouered by accion of debt at the common lawe. But this Statute hath not extende to cities, townes, or boroughes which be Counties incorporat of themselues, nor to cities, townes, or boroughes which haue Justices of peace of any persons dwelling therein by the commission or graunt of the Queene or any of her progenitors, and if there be not sufficient persons learned in the lawe, and of good gouernance in the same countie hauing lands and tenements to the value aforesayde, the Chauncellor of Englande by his discretion, may put other persons learned in the law in such commissions, though they haue not landes or tenementes to the value aforesayde. 18.H.6.11. Of what liuing they ought to be.

4 ¶ Justices of peace shall be sworne, duely and without fauour to keepe and put in execution al Statutes and ordinances touching their offices. 13.R.2.7. And euery Justice of peace, before he shall take vpon him, or be allowed to exercise the same office shal take and pronounce a corporal othe vpon the Euangelists, for the maintenãce of the Queenes iurisdiction ouer all estates, and for the abolishing of forreine powers repugnant to the same. 1.El.1. For the forme of the othe. S. Queene. 4. Justices othe.

5 ¶ Justices of peace shall holde their sessions iiii. tymes in the yeere, vz. euery quarter once, and that by the space of three dayes, if neede be, vpon payne to be punished by the aduice of the Queenes Counsell at any mans suite which wyll complayne, But the Justices of the one Benche or the other, or the Sergeantes of the law, where they be in Commission of the peace, are not bounde to keepe their sessions foure tymes in the yeere, as other Commissioners which be continually dwelling in the countrey, but they shall doe when they may well intende it. 12.R.2.10. and Justices of peace in the Countie of Middlesex are discharged of the sayde penaltie, for not keeping Sessions foure tymes in the yeere, (the Courte Quarter sessions.

of

of the Kinges Benche sitting in the same Countie) But the Iustices of the sayde Countie of Middlesex shall keepe their Sessions twice in the yere at the least, and moze often if neede be, foz any ryot, oz forceable entrie made within the same Countie, vpon the paynes and forfaytures by lawe foz such offences prouided. 14.Hen. 6.4.

Iustices wages.

6 ¶ Euery Iustice of peace shall take foz his wages iiii.s. a day during the time of their sessions, and their clerks ii.s. of the fines and amerciaments rising & comming of the same sessions, by the hands of the Sherife. 12.R.2.10. But no Duke, Earle, Baron, oz Baronet, beyng Iustices and keeping the sessions, shall take any wages foz the same office. 14.R.2.11.

Estreates.

7 ¶ Iustices estreates shalbe double, and one part shalbe delivered by them to the Sherife, to leuy the money thereof rysing, and to pay to the Iustices their wages by the Sherifes hand, by indenture made betwyxt them, And the Iustices shall put their names to the sayde estreates, with the nomber of the dayes of their Sessions, that the Sherifes may knowe to whome to paye wages, and to whom not, And the Barons of the Eschequer, whom to allowe and whom not. 14.R.2.11.

Iustices aucthoritie, and what things they are to inquire of.

8 ¶ The Iustices of peace oz three of them at the least whereof one to be of the Quorum, in euery shire of this Realme and Wales and all other places within the Queenes dominions, haue auctoritie to take information by the depositions of two honest and lawfull persons at the least, and after to inquire by the othes of twelue men in euery their foure quarter Sessions of all and singuler the accusations and informations made of any the offences prohibited by the statute prouided. 1.Ed.6. agaynst such as shal speake vnreuerently agaynst the Sacrament of the bodie and blood of Christ and foz the receyuing thereof vnder both kindes within the limits of their Commission. And vpon euery such accusation and information the offendoz shall be inquired of, and indicted before the sayde Iustices of peace, oz three of them at the least, of the sayde contemptes and offences, by the verdict of twelue men, if the matter of the sayde accusation and information shall seeme to the sayde Iurie, good and true, And the sayde Iustices of peace, oz three of them at the least before whome any such presentment, information and accusation shall be made, shall examine the accusers, whether witnesses were present at the committing of the saide offence and howe many others, then the accusers, haue knowledge there-

Vnreuerent speaking against the Sacrament.

Iu

And haue aucthoritie by their discretions to binde by recognisance aswell the sayde accusers, as all such other persons, whome the accusers shall declare to haue knowledge of the offences by them presented and informed, euery of them in fiue poundes to the Queene to appeare before the sayde Iustices, before whome the offendor shall be tryed, at the day of his tryall and deliuerance, And the Iustices of peace, or three of them at the least, haue aucthoritie to make proces agaynst euery person so indicted, by ii. Capias and an Exigent, and by Capias Vtlagatum, aswell within the limittes of their Commission, as into all other shires and places of this realme, Wales and other the Queenes dominions, aswell within liberties as without, and the same proces shall be good in the lawe to all intentes, and vpon the apparance of the offendor they haue aucthoritie to determine the said offences, according to the lawes of this realme and effect of this Act. And also they haue aucthoritie to let any person so indicted, by their discretions, to bayle for his appearance, to be tryed according to the tenour of this Act. And the sayde Iustices of peace or three of them at the least, at their quarter Sessions where any offendor shall be indicted of any of the offences aforesayd, shall awarde a writte in the Queenes name to the Byshoppe of the Dioces, wherein the offence is supposed to be done, requiring him to be in his owne person, or by his Chauncellour or other his sufficient Deputie learned, at the quarter Sessions in the sayde Countie to be holden, when and where the offendor shall be araygned and tryed, appoynting in the sayde writte the daye and place of the araygnement, which writte shall be of this forme.

A writte to the Bishop.

Elizabeth &c. Epo. L. Salutem. Præcipimus tibi quod tu, Cancellarius tuus, vel alius Deputatus tuus sufficienter eruditus, sitis cum Iusticiariis nostris ad pacem, in Com. nostro B. conseruand' assignat' apud D. tali die, ad sessionem nostram ad tunc & ibidem tenendam, ad dandum consilium & aduisement' eisdem Iusticiariis nostris ad pacem, super arrainment & deliberationem offendent' contra formam Statuti concernen' sacrosanctum sacramentum Altaris. But no person shall be indicted of any contemptes or offences aforesayde, but onely of such as shall be done, within three monethes next after the offence committed, But in all tryals for any such offendors before the sayde Iustices, the person complayned of, and arraygned, shall be admitted to purge or trye his innocency, by as many or moe witnesses in nomber, and of as good honestie

honestie and credence, as the witnesses be, which be deposed agaynst him. 1. Ed. 6. 1. 1. El. 1. S. Sacraments. 1.

Maintayning the auctoritie of the Bishop of Rome.

9 ¶ Justices of peace within the limittes of their Commission, or two of them at the least, whereof one to be of the Quorum, haue auctoritie in their quarter sessions, to inquire of all offences and contemptes committed by any person resiant within any the Queenes dominions, or vnder her power, which shall by writing, syphering, printing, preaching, or teaching, aduisedly and wittingly stande with, extoll, maintayne, or defende the iurisdiction, or power of the Bishop of Rome, or his sea heretofore claymed, or shall attribute any such iurisdiction or preeminence to the said sea of Rome, or to any Bishoppe thereof, in lyke maner as they may of other offences agaynst the Queenes peace, And shall certifie euery presentment before them or any of them made, concerning the same, or any parte thereof, into the Kinges Bench within fourtie dayes after any such presentment made if the Terme be then open, And if not, at the first day of the full Terme next following the sayde fourtie dayes, vpon payne that euery of the sayde Justices before whome such presentment shall be made making default of such certificat, to forfaite for euery default to the Queene, her heires and successours one hundreth pound. 5. El. 1. S. Rome. 1.

Striking in a Church.

10 ¶ Euery person which doeth maliciously strike any other with a weapon, in any Church or Churchyarde, or doeth draw any weapon in a Churche, or Churcheyarde, to the intent to stryke an other, beyng conuicted by verdict of twelue men, by his owne confession, or by two lawfull witnesses before the Justices of peace, in their sessions, shall be adiudged by the same Justices to haue one of his eares cut off, and if he haue no eares, to be lettered in the cheeke with a hotte yron, with this letter F. 5. Ed. 6. S. Fighting. 4.

Preachers.

11 ¶ All and singuler Justices of peace, within the limittes of their commissions, haue auctoritie to inquire of all and singuler offences and mysdemeanors committed contrary to the statute prouided. 1. M. against offenders of preachers, and other ministers of the Church, and to heare and determine the same, and to set fines and amerciaments of the sayd offendors, as in the sayde statute is limited. 1. M. 3. S. Preachers. 1. &c.

Buggerie.

12 ¶ Justices of peace haue auctoritie within the limittes of their commissions to heare and determine the offence of Buggerie

as they do vſe in caſes of other felonies. 25. H. 8. 6. 5. El. 17.

13 ¶ Iuſtices of peace in their quarter Seſſions in euery ſhire of this Realme haue auctoritie to enquire, heare and determine all and euery ſuch felonies which ſhall be committed by any perſon which ſhall ſell, exchaunge, or deliuer within Scotlande, or the batable grounde betwyxt England and Scotlande, to the vſe of any Scottiſh man, any Horſe, Gelding, or Mare, or ſhall ſell, exchange, or delyuer within this Realme, Wales, Berwicke, or the marches, or in the ſayde batable grounde, to the intent to be conueyed into Scotland, any Horſe, Gelding or Mare, without the Queenes ſpeciall licence, vnder her great ſeale. 23. Hen. 8. 16. 1. El. 7. S. Felony. 1. Horſes. 13. Horſes conueyed into Scotland.

14 ¶ Iuſtices of peace haue power to enquire, heare, and determine the offences of all ſouldiors muſtring & receiuing the Queens wages, which doe depart from their captayne within their terme, without licence, as they do and may in other caſes of felonie. 18. H. 6. 19. 2. Ed. 6. 2. S. Captaines. 3. Felony. 23. Souldiour.

15 ¶ Iuſtices of peace in euery ſhire within the Queenes dominions, haue auctoritie to inquire of euery perſon offending contrary to the ſtatute prouided againſt carrying ouer ſea, rammes, lambes, and other ſheepe aliue, and to heare & determine euery offence, committed contrary to the effect of the ſame, according to the lawes of the realme. 8. El. 3. S. Sheepe. 1. Felony. 2. Tranſporting of ſheepe.

16 ¶ At euery ſuch tyme, as any information ſhall be made of any vnlawfull hunting by nyght, or with paynted faces, in a Foreſt, Parke, or Warren, to any Iuſtice of peace, of the Countie where ſuch hunting ſhall be of any perſon ſuſpected therein, it ſhall be lawfull to the ſame Iuſtice to make a warrant to the Shirife, or to any Conſtable, Baylife, or other Officer of the ſame Countie, to arreſt and take the ſame perſon, and to haue him before the maker of the ſame warrant, or any of the Queenes Counſell, Iuſtice of peace of the Countie, And the Counſelor or Iuſtice before whome ſuch perſon ſhall be brought, haue power to examine him of the ſayde hunting, and of the doers thereof, and if he confeſſe the offence, or any offendor, it is felony, and if he confeſſe the ſame, and all that he ſhall be examined of, and knoweth in that behalfe, then the offence of hunting by him done ſhall be againſt the Queene, but treſpaſſe finable, to be aſſeſſed at the next generall ſeſſions by the Iuſtices there. And if any reſcues, or diſobedience be made to any perſon hauing auctoritie to do execution, or iuſtice Hunting with diſors.

by

by any such warrant by any person which shoulde be arrested, to that execution of the same warrant thereby be not had, then the same rescues and disobedience is felony, and the same felony shall be inquired of and determined as other felonies bene. 1. Hen. 7. S. Felony. 24.

Powdike. 17 ¶ The Iustices of peace of the Counties of Norfolke and Cambridge within the Isle of Elie, at euery of their sessions within the same Isle and Counties, haue power to cause inquirie to be made of euery offence committed in breaking vp, cutting, or casting downe newe Powdike in Marshlande in the Countie of Norfolke, and olde fielde dyke by Marshlande in the Isle of Elie in the Countie of Cambridge, and to awarde like processe agaynst euery offendor, with like iudgement and execution of the same, (if he be founde guyltie) as the sayde Iustices haue vsed to doe, vpon other felonies at the common lawe. 22. H. 8. 11. 2. & 3. P. & M. 12. S. Felonie. 31.

Felons. 18 ¶ Iustices of peace haue power to heare and determine at the Queenes suite all maner of felonies and tresp asses committed

Trespassers. gaynst the peace, in the same Countie, And to restrayne offenders

Barretors. ryotors, and all other Barretors, and to pursue, take, and chastise them, to imprison, and punishe them accoording to their trespasse offence, and also to informe them accoording to the sayde Iustices discretion, And to take and arrest all those which they can finde by indictment or suspicion, and to committe them to prison, And take of all those, which be not of good fame in the place where they remayne, sufficient suretie and mainprise of their good abering behauiour towardes the Queene, and her people, and the other duly to punishe, to the intent that the people be not by such ryots troubled or indammaged, nor the peace broken, nor any passengers by the way disturbed, or put in perill, But the fines which Iustices shall assesse vpon any person for any offence shall be reasonable, having regarde to the quantitie of the trespasse and the cause. 18. E. 3. 2. 34. Ed. 3. 1.

Escapes. 19 ¶ Iustices of peace haue auctoritie to inquire in their sessions, of all maner of escapes, of euery person arrested and imprisoned for felonie. 1. R. 3. 3.

20 ¶ Iustices of peace at their quarter Sessions, haue auctoritie to inquire aswell by the othes of twelue men, as by information gyuen to them by any person, of all defaultes, offences, contemptes committed agaynst the lawes and Statutes made

prou-

ꝓuided before 16. Januarii, Anno 33. H.8. concerning, or in any
wise touching Retayners, gyuing of lyueries, Signes, tokens, or Reteinors,
Badges, mayntenance, imbracerie, Bowstaues, Archerie, vnlaw- Maintenance,
full games, forestallers, Regrators, vitaile, vitailers and inholders, Imbracerie,
and euery of them, and to heare and determine the sayde defaultes, Bowstaues,
offences &c. And vpon any information touching the premisses, or Vnlawfull
any of them, to make proces by Venire facias, one Capias, and an games,
Exigent vnder their seales, agaynst euery such person and persons, Archerie,
agaynst whome such information or presentment shall be had for Regrators,
their appearance, before them in their Sessions, to answere to such Vitaulers.
information or presentment, as shall be there made, And if the per-
son or persons accused by information or presentment, shall be con-
uict vpon any such information, or &c. by confession or verdicte of
twelue men, Then the sayde Iustices haue power to gyue iudge-
ment agaynst euery such offenders so conuicted of imprisonment,
forfayture of money, or both of them, as are limitted in the sayde
seuerall Statutes, for such offences, whereof they are conuict, and
to cause execution thereof to be made accordingly. 33. Hen. 8. 10.
7. H. 8. 7.

21 ¶ Iustices of peace, aswell within liberties as without,
within the limittes of their Commission in their generall Sessi-
ons, (or other Sessions which they or two of them, whereof
one of them to be of the Quorum, may and shall appoynt, at
their pleasure where and when neede shall require) haue auctho-
rite to inquire, heare, and determine, all and euery offence com-
mitted agaynst the Statute prouided for those which doe malici-
ously speake, reporte, deuise, wryte, print, or sette foorth any
false, sedicious, and slaunderous newes, rumors, or tales of the Seditious
Queenes Maiestie, or of any of the heires of her body being Kings newes or tales
or Queenes of this Realme, as in cases and tryall of felony. And e-
very Iustice of peace within the limittes of his Commission, hath
power to committe any person beyng vehemently suspected of any
the sayd offences to ward, there to remaine without baile or main-
prise, vntill he shall be deliuered according to the foresayd Statute.
And euery Maior, Baylife, and other head Officers of Cities, Bo-
roughes and Townes corporat, which haue or hereafter shall
haue auctho̅itie within the limittes of their offices, to keepe Sess-
ions as Iustice or Iustices of peace, shall and may arrest and
committe to warde euery person beyng vehemently suspected of
any of the foresayde offences, as also proceede to the execution,

hearing

hearing and determining of euery of the sayde offences, and to
and make due execution thereof, according to the effect of the sayde
Statute. And the Iustice of peace, within libertie or without,
which shall for any of the foresayde offences committe any perso
to warde, shall within tenne dayes after such committing, with
other Iustice of peace, whereof one of them to be of the Quorum,
direct their precept to the Sherife of the Countie where the offe
shall be committed, or to other ordinarie officer, if it be within
Citie or Towne corporat, where the Sherife cannot intromit
commaunding him by the same to impanell and returne, as th
shall assigne xxiiii. good and lawfull men of his Bayliwicke, to
quire of the sayde offence which any such person shall be so imp
ned for, And thereupon within one moneth after the date of the
precept, shall proceede and determine, as is aforesayde. And if
of the foresayde Iustices of peace shall make default in any of
premisses, he shall forfaite to the Queene. x. li. 1. & 2. P. & M. 3. 1. El.
6. S. Newes. 3. 4. 5.

Newes. 22 ¶ Iustices of peace in euery Shire, Citie and Towne
porat, within the limittes of their seuerall Commissions,
power to examine, heare and determine the causes, specified in
Statute prouided. 3. Ed. 1. & 2. R. 2. agaynst those which tell
false newes, whereof discorde may aryse betwixt the Queene
her Noble men or people, or any false newes or lyes of the No
men or great officers of the Realme, whereof discord or slander
aryse within the Realme, and to put the said two Statutes & e
vaunche in them contayned, in execution. 1. & 2. P. & M. 3. 1. El.
S. Newes. 1.

Wilfull periurie. 23 ¶ The Iustices of peace in euery countie within this rea
or in Wales, at their quarter sessions, both within liberties & w
out, haue authoritie to inquire of all and euery the defaultes and
fences committed contrary to the Statute prouided for the
nishment of such, as shall procure or commit wilfull periurie, by
quisition, presentment, Bill, or information before them exhib
or otherwise, lawfully to heare and determine the same, & there
to giue Iudgement, award proces, and execution of the same, ac
ding to the course of the lawes. 5. El. 9. 14. El. 11. to continue to
ende of the next Parliament. S. Periurie.

Prophecies. 24 ¶ All & euery Iustices of peace, haue auctoritie to in
heare & determine euery offence cõmitted within the limits of
commission, contrary to the tenour & meaning of the stat. pro

5.

5. El. against fond & phātastical prophecies. 5. El. 15. S. prophecies. 1.

25 ¶ The Justices of peace of euery shire haue authoritie from time to time to make serch and view of & for the furniture of Horses, Geldings, Armour, and weapon to be kept by any person hauing lands &c. to the value of CC. li. or vnder, and not aboue CCCC. li. or by any person chargeable by his goods, annuities, fees, or copiholds, and to heare and determine at their quarter Sessions, all defaults committed contrary to the statute prouided. 4. & 5. P. & M. in the hauing of Horse, Armour, and weapon, within the county where such Sessions shalbe kept, by inquisition, presentment, Bil, or information before them exhibited, or by examination of two lawfull witnesses at their discretion, and to award proces against them as if they were indicted before them by verdict &c. And vpon ỹ conuiction of the offendor by information or suit, of any other then the Queene, to make estretes of the one moitie of the forfaitures, to be leuied to the vse of the Queene, and of the other to the vse of the Informer, as the Queenes Justices may doe, and if the conuiction shalbe onely at the Queenes suit, the whole forfaiture shalbe estreted onely to her vse. But he that is once conuict for any of the said offences, shall not be eftsones troubled, or conuicted for the same. 4. & 5. P. and M. 2. Armour. Armour.

26 ¶ The Justices of peace within the limittes of their commissions in their Sessions, shall and may from time to time inquire, heare, and determine euery of the offences committed contrary to the Act prouided. 4. & 5. P. & M. for the taking of musters within the precinct of their commission, and if any person shalbe before them presented or indicted of any of the said offences, then the said Justices shall, and may award such proces against euery such person so indicted, as vpon indictments of trespas is vsed to be made, & if any such person so indicted doe appeare, and confesse the same, or plead to the said indictment, and after by verdict of xii. men shalbe conuicted, that the said Justices shall and may award such person to prison, there to remaine, without baile or mainprise vntill he hath payed the one moitie of the forfaiture specified in the said act, vnto the Queene, and the other moitie vnto him, by whose euidence he shalbe conuicted, and if such conuiction shalbe without any euidence openly giuen in any person, then the partie conuicted shall remaine in prison vntill he hath satisfied the whole forfaiture vnto the Queene. 4. & 5. P. & M. 3. S. Captaines. 12. Musters.

27 ¶ All and singuler Justices of peace, as wel within liberties,

as without, within their ſeueral authorities (at any time within three yeeres next after ſuch offences committed) haue power to inquire, aſwell by the othes of xii. lawfull men, as alſo to heare and examine the maſters and mariners of the Ships, Crayers, and euery other perſon, of all and ſinguler the offendors againſt the act prouided

Tranſporting of victuals. 1. & 2. P. & M. for the reſtrayning of carying Corne, Beere, Butter, Cheeſe, Herring, and wood beyond the ſea, & to heare and determine the ſame offences, as they may & ought to heare and determine any other treſpaſſes or offences. 1. & 2. P. & M. 5. And Iuſtices of peace in their quarter Seſſions, or the greater part of them, may by their writings, vnder their handes and ſeales make any determination to the contrary of that, which before was determined by the Iuſtices of aſſiſe, for the tranſporting of Corne, or reſtraint thereof, if they ſhall find the ſame to be hurtful to the Countrey by the meanes of dearth, or too much cheapnes, and to cauſe their determination to be proclaimed. 13. El. 13. S. Corne. 7.

Milche Kine. 28 ¶ Iuſtices of peace haue power at their general Seſſions to heare and determine the offences committed contrary to the ſtatute prouided for the keeping of milch Kine, and for the breeding and rearing of Calues, by Bill, Information, Preſentment, A. of debt, or continue, And euery perſon that will, may ſue for any penaltie forfeited by the ſaid ſtatute, within one yeere after the offence committed, before the Iuſtices of peace, in the ſame ſhire, where ſuch cauſe of forfaiture ſhalbe had, at the general Seſſions, wherein no W. &c. E. or licence to the contrary, ſhalbe allowed. 2. & 3. P. & M. 3. An. El. 25. S. Cattell. 3.

Wainlings. 29 ¶ The Iuſtices of peace of euery ſhire within this Realme within the limittes of their commiſſion, haue authoritie at euery their generall Seſſions to inquire, heare, and determine the offences of thoſe which ſhal kil, or cauſe to be killed any waynlings vnder the age of two yeeres, to the intent to make ſale thereof, aſwell by information, or preſentment, as by bill or plaint, wherein no W. &c. &c. 24. H. 8. 9. 14. El. 11. S. Butchers. 3.

Killing of Calues. 30 ¶ The Iuſtices of peace of euery ſhire of this Realme within the limittes of their commiſſions, haue authoritie at euery of their generall Seſſions, to inquire, heare, and determine the offences of Butchers, or others which ſhall kill any yong ſucking Calues to be ſold whole, or by retaile, that ſhalbe calued betwixt the firſt day of Ianuarie, and the firſt of May, aſwell by information, and preſentment, as by bill or plaint, wherein no W. &c. E. P. &c. 24. Hen.

14. El. 11. S. Butchers. 2.

31 ¶ The Iustices of peace in euery County within this Realme of Wales, at their quarter sessions, haue authoritie to inquire, heare and determine all defaults and offences committed contrary to the statute prouided 5. E. 6. against Forestallors, Regrators, and Engrossers, within the county, where any such Sessions shalbe kept, by inquisition, presentment, bill, or information before them exhibited, and by examination of two lawfull witnesses, or by any of the same wayes, by the discretion of the said Iustices, & to make proces thereupon as though they were indicted before them by inquisition, or verdict, and vpon the conuiction of the offendor by information or suit of any other then the Queene, to make extractes of the one moitie of the forfaiture to be leuied to the Queenes vse, as they do of other fines, issues &c. growen in the Sessions, and to award execution of the other moitie for the compl. or Infor. against ỹ offendor by Fieri facias, or Capias, as the Queenes Iustices at West. do. And if the conuiction be at ỹ Queenes suit only, the whole forf. shalbe extracted and leuied to her onely vse. 5. Ed. 6. 14. 13. El. 25. S. Forestallers. &c. Forestallers, Regrators, Engrossers.

32 ¶ The Iustices of peace in their generall Sessions, shall or may, by their discretions, take band and suertie by recognisance of euery such as shalbe allowed a common Drouer of cattell, Badger, Lader, Kidder, Carrier, or Buyer of Corne, Graine, Butter, or Cheese, that he shal not by colour of his licence Forestall, Engrosse, or practise any thing contrary to the tenour, or true meaning, or in construing of the said statute of 5. Ed. 6. 14. or of any thing therein contained. An. 5. El. 12. Recognisance of Badgers, Drouers.

33 ¶ The Iustices of peace in euery county within this Realme, or Wales, at their quarter sessions, haue authoritie to inquire, heare, and determine all defaults and offences, committed contrary to the statute prouided, 5. El. for the licencing of Badgers of corne, & Drouers of cattell, within the county where such Sessions shalbe kept, by inquisition, presentment, bill or information before them exhibited, and by examination of two lawfull witnesses, or by any of the same wayes by the discretion of the said Iustices, and to make proces thereupon, as though they were indicted by inquisitiõ or verdict, and vpon the conuiction of the offendor, by any infor. or suit of any other then ỹ Queene to make extracts of the moitie of ỹ forf. to be leuied to the Queenes vse, as they do of other fines &c. growen in the sessions, and to award executiõ of ỹ other moitie, for ỹ compl. or infor. against the offendor, by Fieri facias or Capias, as ỹ Queens Iustices at West. Licence of Badgers and Drouers.

do, And if the conuiction be at the Queenes ſuit only, the whole for-
ſhalbe extracted and leuied to her vſe onely. 5. El. 12. S. Badger &c.

Vnlawfull taking of fiſhe, Deare, or Haukes.

34 ¶ Iuſtices of peace in their Seſſions, haue Authoritie to in-
quire, heare and determine all and ſinguler the offences committed
contrary to the ſtatute prouided. 5. El. for the puniſhment of vnlaw-
full taking of Fiſhe, Deare, or Haukes, and to award proces there-
upon, aſwel vpon Indictments taken before them as by bill of com-
plaint, information, or any other accion, wherein no Wr. &c. E. P. &c.
If any perſon ſhalbe bound before any of the ſaid Iuſtices to the
Queene for his good abearing for vii. yeres, according to the tenor
of the ſaid Act, and the ſame partie ſhall afterward within the ſaid
vii. yeeres, come before the Iuſtices of peace, of the County where
the offence was committed, or ſome of them in open Seſſions, and
there confeſſe his offence, and be ſorie therefore, and ſatiſfie the par-
tie greeued, according to the tenour of the ſaid Act, then the ſame
Iuſtices haue authoritie in the ſame, or any other open Seſſions
within the ſaid terme of vii. yeeres, if it ſhall ſeeme good to their di-
cretions, to diſcharge the ſaid recogniſance and Band, and the party
ſo bound. 5. El. 21. S. Fiſh. 7. Forreſtes. 3. Haukes. 1.

Buckſtalls. Stalking.

35 ¶ Two Iuſtices of peace in their Seſſions, haue authoritie
to call before them any perſon hauing no Parke, Chace, or Forreſt of
his owne, which keepeth, or cauſeth to be kept, any Deare haies, or
Buckſtals, or which ſtalketh with any buſh or beaſt to any Deare
being in any Chace, Parke, or Forreſt ſauing in his owne, with-
licence of the owner, maker of the Game, or keeper of the ſame Fo-
reſt &c. or which killeth, taketh, or cauſeth to be taken any Hern
(except by hauking or with long bowe) or taketh any yong Hern
out of the neſt, without licence of the owner of the ground where
the neſt is, and by their diſcretions to examine him in the premiſ-
And if the partie examined be found in default contrary to the pre-
milles, then he ſhall be committed to priſon vntill he hath found
ſurety for payment of the forfaiture to the Queene. And the Iuſti-
ces that examine him ſhall haue the tenth part of euery ſuch for-
ture for their labour. An. 19. Hen. 7. 11. S. Hunting. 3. 4. Fal-
rons. 1. 2.

Taking of Heſons.

Hunters.

36 ¶ Iuſtices of peace may and ſhall inquire of all lay men
uing not landes to the value of xl. s. by the yeere, and of all Clerkes
not hauing liuing to the value of x. pound by the yeere, which
keepe any dogges to hunt, or doe vſe Ferrets, Hayes, Netts, Hay-
pipes, Coydes, or other engins to take or deſtroy Deare, Hares, Co-
nies

nies, or other Gentlemens games, & shall punish them by one whole yeeres imprisonment. 13.R.2.13.S.Hunters.1.

37 ¶ Iustices of peace within euery shire, at euery Sessions of the peace haue authoritie to enquire of such as doe trace, destroy, and kill any Hare in the Snowe, with any Dogge, Bitche, or otherwise, and after such inquisitions found, the said Iustices shall assesse vpon euery such offendor vi. s. viii. d. to be forfaited to the Queene. 14.H.8.10.S.Hunters.2. Tracing of Hares.

38 ¶ Iustices of peace haue authoritie to heare and determine aswell by inquisition as information, and proofes, the offences of all those, which shall take or cause to be taken any Fesants or Partridges, by nets, snares or other engins, out of their owne Warren, or the freehold of any other person without the licence of the owner, or possessor. 11.H.7.17.S.Fesants.1. Fesants, Partridges.

39 ¶ Iustices of peace haue authoritie, to heare and determine aswell by inquisition, as information, and proofes, the offences of all them, which shall take, or cause to be taken the egges of any Faulcons, Gosshaukes, Laners, or Swannes, out of the nest, or shall take any Eirer, Falcon, Gosshauke, Tercel, Laner, or Laneret, or purposely driue them out of their Couerts accustomed to breed in, or make them to go to other Couerts to breed, or kil them for any hurt by them done. 11.Hen.7.17.S.Haukes.3.4. Haukes egges

40 ¶ Iustices of peace in their Sessions haue authoritie to inquire, heare and determine all the offences committed cõtrary to the same prouided 1. El. touching the taking, killing, or destroying of Fish, or Fry, and Spawne (which be not presented at the Leete, where they shalbe committed) within one yeere next after the offence committed, 1.El.17.14.El.11.S.Fishe.3.4.Leete.6. Destroying of fishe.

41 ¶ The Iustices of peace of al the Counties of England shal be conseruators of the statute prouided. 13. Ed.1.& 13. R. 2. for the preseruation of Salmons, in the Counties where they be Iustices. And they and euery of them, at all times when they may attend, shal enquire the offences attempted against the said statutes, And shal surueye and serch all the Weares in such Riuers, that they shall not be set straight for the destruction of Frye and brood, but of a reasonable wydenes after the old assise accustomed, & if any of them shall find fault against the said statutes, he shal punish the offendor according to the content of the same statutes, And the same Iustices shall appointe vnder them good & sufficient vnder Conseruators which shall be sworne to make like Surueying, serch, and punishment, without Conseruators of Salmons.

any fauour shewed. And the same Iustices in their Sessions, shall inquire aswell by their office, as at ỹ information of the said vnderconseruators, of al trespasses and offences committed against any point of the said statutes, and shall cause them which be thereof indicted, to appeare before them: And if they be thereof conuicted, they shall be imprisoned, and make fine after the Iustices discretion, & if the same be at the information of any of the vnderconseruators, he shall haue the one halfe of the same fine. 17. R. 2. 9. S. Fish. 1.

42 ¶ It is lawfull to Iustices of peace in their Sessions, and to all other persons hauing authoritie to inquire of bloodshed & frais, to inquire of euery of the offences and forfaitures commited against the statute prouided 24. H. 8. for the reformation of excesse in apparel, and the parties offending the said statute & presented, shall make fine, in maner and forme and after the rate expressed in the said statute. 24. Hen. 8. 13. And also Iustices of peace in their Sessions, shall and may inquire, heare and determine from time to time, al and euery the offences committed within the limittes of their Iurisdictions contrary to the statute prouided 1. and 2. P. and M. for reformation of excesse in apparell. And they haue authoritie vpon the conuiction of euery offendor, to award proces to the Sherife of any shire within this Realme, for the apprehension of the said offendor, which being apprehended shalbe committed by the sherife to the prison of the said shire, vntil he hath payed the forfaiture by the said statute appointed. 1. & 2. P. & M. 2. S. Apparell.

Apparell.

43 ¶ Al Iustices of peace in euery shire, where any offence shall be committed contrary to the true intent of the act made 27. Hen. (whereby religious houses of Monkes, Chanons, and Nunnes which might not dispend in lands &c. aboue the cleere yeerely value of CC. li. were giuen to the said King H. 8. his heires and successors for euer. And whereby all persons and bodies politique and corporat, to whom ỹ said King, his heires or successors should giue, grant, lett, or demise any Scite or precinct, with the houses thereupon buylded, with the demeslnes of any of the said religious houses, by that dissolued, be bound to keepe, or cause to be kept an honest continual house and household in the same Scite or precinct, & to occupie yerely alsmuch of the demeanes, in ploughing and tillage of Husbandry which then were commonly vsed to be kept in tillage by the governors, Abbottes &c. of the same houses, or by their fermor or fermors occuppying the same within xx. yeeres next before the said act, vnder the paine to forfait to the king, for euery moneth offending vi. pound

Tillage.

xiii. s.

viii. s. iiii. d.) shall in euery quarter and generall Sessions, within the limittes of their commission, inquire of the premisses, and haue full power and authoritie to heare and determine the same, and to taxe and assesse no lesse fine for euery of the said offences then is before limitted for the same. And the estretes thereof shalbe certified into the Eschequer according, and at such time and forme, as other estretes of fines, issues and amerciaments bene, made by the said Iustices. 27. H. 8. 5. El. 2. S. Husbandry. 9.

Crossebowes, Handgunnes.

44 ¶ It is lawfull to all Iustices of peace in their Sessions to inquire, heare, and determine euery offence committed contrary to the tenour of the statute made 33. H. 8. cõcerning Crossebowes and handgunnes, so that alwayes no lesse fine then x. pound be assessed vpon euery presentment, and conuiction made, according to the due course of the lawe, the same fine vpon euery such presentment and conuiction, to be leuied onely to the Queenes vse, And if any Iurie sworne and charged to inquire for the Queene, of any offences committed contrary to the said statute, doe wilfully conceale any of the said offences, then the Iustices before whom any concealment shall be had, haue authoritie to charge & sweare an other Iury, to inquire of euery such concealement, and if such concealment be found and presented by the said Iury, then euery of the first Iury shal forfait for euery such concealment of euery offence xx. s. to the Queene. And euery Iustice of peace, vpon due examination and proofe before him made of any person offending contrary to the forme and effect of the said statute, and arrested and brought to him by any other person, perceyuing any such person to offend, hath power to commit the same offendor to the next Gaole, there to remaine vntil such time as the penaltie specified in the said statute, shalbe truely payed by the said offendor, the one moitie to the Queene, and the other to the first finder of the said offendor to the same Iustice. But if the presentment, suit or punishment for any thing forfaited by this statute to the Queene, be not commenced, or made within one yeere next after the offence committed, the said offendor shalbe thereof cleerely discharged. 33. H. 6. S. Gunnes.

Cappes.

45 ¶ Iustices of peace in their Sessions, shall and may inquire, heare, and determine all and euery the offences committed within the limittes of their authorities, contrary to the statute prouided 13. Eliz. for the continuance of making of Cappes. 13. Eliz. 19. Hattes. 1. 2.

Sitting.

46 ¶ Iustices of peace haue power to inquire & determine al the

offences committed contrary to the statute prouided. 8. H. 5. concerning the gilting of metall, and other things. 8. H. 5. 3. S. Gold. 7.

Breeding of Horses.

47 ¶ Iustices of peace in euery shire, Riding and other place in their quarter Sessions, haue authoritie to inquire of al defaults, contempts, omissions and offences, contrary to the effect of the statute prouided 32. H. 8. concerning the breeding of Horses of higher nature, And to heare and determine euery presentment found before themselues, or found in any Leets or Lawdayes, and presented or certified vnto them by the steward, deputie or Court holder of the same Leete or Lawday, aswel by examination as otherwise. And the one halfe of all forfaitures specified in the said statute, shall be to the Queene, and the other to the person that will sue for the same, before the same Iustices, by B. I. &c. 32. H. 8. 13. S. Horses. 3. 4. 5. 6. 7. 8.

Keeping of Horses.

48 ¶ Iustices of peace haue power within the limits of their authoritie, to heare and determine the defaults done contrary to the statute prouided 33. H. 8. concerning the keeping of great horses, aswel by presentment as by information before them, as in other cases of trespasses and contempts done against the forme of any statutes, and shal set no lesse paine vpon such persons, as shalbe conuicted, by confession or triall for offending the said Act, then in the said Act limitted. 33. H. 8. 5. S. Horses. 10. 11. 12.

Transporting of Horses.

49 ¶ It is lawfull to the Iustices of peace in euery shire aswel in England as in Wales, in their quarter Sessions, to inquire of all offences committed cõtrary to the act ordeined 1. E. 6. that no Horses should be conueyed out of this Realme and other the Queenes Dominions without licence. 1. E. 6. 5. S. Horses. 14.

Horsebread.

50 ¶ Iustices of peace in euery shire, libertie or franchise, within this Realme haue authoritie to inquire, heare, and determine the defaultes & offences of Hostelers, and Inholders baking horsbread which is not sufficient, lawful, and of due assise according to the price of Corne, and to set such fines, and make like proces thereupon, as they commonly vse to doe vpon presentments of trespas against the peace. 32. H. 8. 41. S. Inholders. 2.

Lether.

51 ¶ Iustices of peace shall inquire, heare and determine in their quarter Sessions, all offences committed within their Iurisdictions, contrary to the statute prouided 5. El. touching Tanners, Curriers, Shomakers, and other Artificers occupying the cutting of Lether, and also shal by their discretions examine all persons suspected to offend the said act, or any parcell thereof. 5. Eliz. S. Lether.

52 ¶ Iu

52 ¶Iuſtices of peace haue power in their countrey, to inquire, heare and determine all defaultes and offences committed by anye perſon within the limittes of their commiſſion, contrary to the ſtat. prouided 23.H.6. for the leuying, and paying of the wages of the Knights of the Parliament aſwell by inquirie at the Queenes ſuit, as by action at the parties ſuit. 23.H.6.11.S.Parliament.12. Wages of Knights of the parliament.

53 ¶Iuſtices of peace in euery place and County, aſwel within liberties as without, haue aucthoritie in their Seſſions, within the limits of their aucthoritie and commiſſion, to inquire, heare and determine all offences committed contrary to the ſtatute prouided 3.Philip.& Ma. againſt the buying of ſtollen Horſes, as they may doe any other matter tryable before them, and euery perſon that will, may ſue for any ſumme forfeited by the ſaid ſtatute before the Iuſtices of peace. 2.& 3.P.& M.7.S.Faires.4.5.6. Stolen horſes

54 ¶Two Iuſtices of peace in euery County, citie, Borough, towne and franchiſe, whereof one to be of the Quorum, haue aucthoritie to conuent by proces or otherwiſe, to the generall Seſſiõs, any perſon being ſuſpected of any deceiptful getting into his hãds, any money, or other things of any other perſons, by colour of anye falſe token, or counterfaite letter made in any other mans name, & commit him to ward, or let him to baile, vntill the next generall Seſſions, and there to be further ordered by their diſcretions, that is to ſay, he ſhall ſuffer ſuch correction by impriſonment, ſetting vp= on the Pillory, or by any corporall puniſhment, (paines of death ex= cepted) as ſhalbe appointed by the ſaid Iuſtices. 33.H.8.1. See Coun= terfaiting &c. Counterfaitting letters, tokẽs.

55 ¶Iuſtices of peace in euery county, haue power to inquire of falſe makers of Arrowheds & Quarels, & to puniſh thẽ according the ſtat. in that caſe prouided. 7.H.4.7. See Arrowheds.1. Arrowheds.

56 ¶All and ſinguler Iuſtices of peace, haue aucthoritie to in= quire, heare and determine, al & ſinguler offences committed by ar= chers, workmen, laborers & vitailers, againſt the ſtat. for them pro= uided 2.Ed.6. and to puniſh the offendor, according to the tenour of ſame Stat. 2.Ed.6.15. See Artificers 1.2. Artificers.

57 ¶Iuſtices of peace in their quarter ſeſſions, haue aucthority to heare and determine all offences committed, contrary to the true intent & meaning of the ſtat. prouided. 18.El. to redreſſe diſorders common inkourmers vpon penall lawes. 18.Eliz.5. See Actions popular. 3.4.5.6.7.8. Inkorimers.

58 ¶Iuſtices of peace in euery county, haue power to enquire, Purueyours.

heare

heare and determine, aswell at the suit of the Q. as of him which wil sue, of any thing committed against the statute prouided against Purueyors which wil take or buy any thing of ỹ value of xl. s. or vnder, of any of the Queenes liege people, without making ready payment in hand for the same, against Constables, tythingmen, & other pledges, which vpon request do not assist the owners to withstand and resist such Purueyors & buyers, & against such of the Queenes Officers, as doe procure any of the Queenes people to be arrested impleaded, or vexed, for such withholding, or not suffering &c. thereof to make due punishment and execution, and to award damages to the plaintife, when the defendant is duely conuict. 20. 8. See Purueyours. 22.

Purueyors. 59 ¶ Iustices of peace haue power to inquire, and holde plea of any offence committed by any of the Queenes Purueyors, or others which do buy or take corne, by any other measure, but by the sealed Bushel, and viii. of them for the quarter, or which doe take carriage therefore, and doe not make redy payment, & thereupõ aswel at the Queens suit, as at the parties, to punish them, according to the statute in that case prouided. 1. H. 5. 10. S. Purueyours. 16.

Purueyors. 60 ¶ The chauncelor or his vicechauncelor, or commissary for the time being, in either of the Uniuersities of Cambridge and Oxford, with two Iustices of peace, of the Counties wherein the said Uniuersities be set, haue power to inquire by the othes of xii. men and vpon the defaultes and offences committed contrary to the Statutes (ordeining in what cases Purueyours may take victuals within v. miles of Cambridge and Oxeforde, and in what they may not) and to see due punishment and reformation thereof, according to the said Statutes. 2. & 3. P. & M. 15. 13. El. 21. 14. El. 11. Purueyours. 32.

Linnen cloth. 61 ¶ All Iustices of peace in euery Countye, and place within the Realme, or three of them at the least, whereof one to be of the Quorum, haue power to enquire, heare and determine in their Sessions of all persons which doe wittingly vse any deceiptfull act or meane with Linnen cloth, whereby the same is made worse for the wearer thereof, by Information, Indictment, or vpon the Trauerse of any presentment or indictment found before them or any of them. And the Iustices before whome any offence shalbe found, shall certifie the same by estrete into the Eschequer at Michaelmas &c. 1. El. See Linnen cloth. 2.

62 ¶ The Iustices of peace, within euery shire, at the [illegible]

ssions holden at Michaelmas, shall appoint two certaine persons, Pewter.
ving experience in Pewter and Brasse, to make serch therein &c. Brasse.
every part of ỳ shire, aswell within franchise as without (saving
cities or boroughes, where serchers be appointed by the Gouer-
rs of the same.) 19.H.7.6.4.H.8.7.S.Pewterers.

63 ¶ Iustices of peace haue power to inquire in their sessions Artillerie.
all and euery braunch of the statute prouided 33.Hen.8. for the Buttes.
intenance of Artillery, of Buttes, and for the making and sel- Bowes.
g of Bowes, and to heare and determine the same, and also by
r discretions to examine all persons lacking and not hauing
es & arrowes, according to the said statute. 33.H.8.9.S.Arche-
. Bowes. 3.4.Buttes. 1.

64 ¶ It is lawfull to all and euery the Iustices of peace, in e- Vnlawfull
y shire within this Realme, from time to time, aswell within li- games.
ties as without, as neede and cause shall require, to enter and re-
into all and euery houses, places, and Alleis, where vnlawfull
mes shall be suspected to be vsed contrary to the stat. in that case
uided, And aswell the keepers of the same, as also the persons
e haunting, resorting, and playing, to take, arrest, and imprison,
them so taken and arrested, to keepe in prison, vnto such time, as
keepers and mainteiners of the said playes and games haue
d sureties to the Queenes vse, to be bounden by Recognisance,
herwise, no lõger to vse or occupie any such house, play, game,
y or place. And also the persons there so foũd, shal in like case be
nde by them selues, or els with sureties, by the discretion of the
ice, no more to play, haunt or exercise, from thencefoorth to anye
e said places, or at any of the said games. And all Iustices of
ce, and euery of them finding, or knowing any person vsing any
wfull games contrary to the saide statute, haue aucthoritie to
mit euery such offendor to warde, there to remaine without
l or mainprise, vntill such time they so offending, be bounde by
gation to the Queenes vse, in such summe of money, as by the
retion of the said Iustices shalbe thought reasonable, that they
y of them, shall not from hencefoorth vse such vnlawfull games.
the Iustices of peace shall cause the statute prouided against
wfull games, and for the maintenance of Artillery, to be openly
imed in their seueral Sessions before them holden. 33.H.8.9.
Playes & games.

65 ¶ Iustices of peace in their Sessions, haue power to in- Attachements
, of all attachments made by the officers of the Courts of the in the Mar-
ches.

East

East marches or West marches, out of any of the Cōtties of Westmerland, Cumberland or Northumberland, or the Towne of new Castell vpon Tyne, and therein to proceede, as they may vpon presentments taken before them in their Sessions, of Trepasse, or frayes made against the Queenes peace. 31.H.6.3. See Marches.

Labourers. 66 Iustices of peace of euery shire, riding, and libertie within the limits of their seuerall Commissions, or the more part of them being then resiant within the same, and the Shiriffe of the County (if he conueniently may) and euery Maior, Bailiffe, or other Officer, within any City or Towne corporate, wherein is any Iustice of peace, within the limittes of the said Citie, corporation &c. shall yeerely at euery generall Sessions, first holden after Easter or within vi. weekes next after Easter, assemble themselues together & calling vnto them such graue & discreete persons of the said County, Citie, towne &c. as they shall thinke meet, & conferring together respecting the plentie or scarcity of the time, and other circumstances necessary, haue auctority within the limits of their seuerall commissions, to limit, rate, and appoint the wages of Artificers, handicrafts men, husbandmen, labourers, seruants, workmē, apprentices, husbandry &c. as they shall thinke meet to be rated, limitted &c. the yere, or by the day, weeke, moneth, or otherwise, with meate and drinke, or without, & what wages euery workeman & labourer may take by the great, for mowing, making, reaping, or threshing Corne, and Hay, or for ditching, paling, railing, or hedging by the rodde, Perche, Lugge, Yarde, pole, rope, or foote, or for any other kinde of reasonable labors, or seruice. And shall yeerely before the twelfth day of July next after ỳ said rates so appointed, certifie the same ingrossed in Parchment, with the causes thereof, vnder their handes and seales into the Chauncery, whereupon it shall be lawful to the Lord Chauncellor or Keeper &c. vpon declaration thereof by the Queenes Maiestie or Lords &c. of the priuy Counsel &c. to cause to be printed and sent downe, before the first of September next after the said Certificat, into euery County, to the Shiriffe, Iustices of peace there, and to the Maior, Bailiffes &c. certaine Proclamations conteining the seuerall rates appointed by the Iustices &c. with commaundement to all persons in the Queenes name, to obserue the same, and to all Iustices, Sheriffes &c. to see them duely obserued, which Proclamations shall be entred of recorde, by the Clerke of the peace, or by the Clerke of the Citie, Towne &c. And shall be proclaimed in euery City, and

Rating of wages.

Proclamatiōs of the rates of wages.

Towne, vpon the Market dayes before Michaelmas, and fixed in some open place &c. And if the saide Shirifes, Iustices, Maiors &c. shall at their said Sessions, or at any time after within sixe weekes, vpon their assemblie and conference together, thinke it conuenient to retaine for the yere to come, the rates of wages, that they certifie the yeere before, or to change or reforme them, or some part of them, then they shall before the twelfth day of July yerely certifie into the said Chauncery, their determinations therein, to the intent the Proclamation may be accordingly renued and sent down. And where be no neede of reformation, or alteration of the rates of wages, but that the former shall continue, then the Proclamation for yeere past shall remaine in force, vntill new proclamations vpō the rates shalbe sent downe. 5. El. 4.

All the Iustices shall assemble at the rating, or altering of wages.

67 ¶ If all the Iustices of peace resiant within the Counties where they be Iustices, and the Maiors, head Officers &c. doe not yerely assemble at the generall sessions holden after Easter, or within sixe weekes next after, and limit and rate the wages of seruants and Labourers, or shall not consider whether the former rates ought be meete to be continued, or to be altered and reformed, or be negligent in the Certificat thereof: Then euery such Iustice, Maior &c. in whome any such default shall be found, being within the County, Citie, Towne &c. at the time of the said Sessions, or the time of the saide rates of wages to be set, within sixe weekes next after such Sessions, and not visited with any such sickenes, as should not trauell thither without danger of his life, or not hauing other good excuse to be allowed by the Iustices then assembled for the rating of wages, or by the more part of them, (vpon a corporall oth, and Affidauit, to be openly taken before the Iustices vpon the holy Euangelists, by some credible person assessed in the booke of Subsidie of that County to v. pound at the least, or by such other meane, as the most part of the Iustices shall allowe to take such oth) shall forfeite for euery such defaulte and negligence vnto the Queene, ten pound. 5. El. 4.

Inquirie of the execution of the stat. of labourers.

68 ¶ The Iustices of peace of euery County, diuiding them selues into seuerall limittes, and euery Maior and head Officer of euery Citie, towne corporat &c. shall yeerely betwene the feastes of S. Michael, and the natiuitie of our Lord, and betwene the feasts of the Annunciation of our Ladie, & of S. Iohn Baptist, by al such waies and meanes, as to their wisedomes shall be thought meete, make a speciall & diligent inquirie of the branches & articles of the Statute made

made 5.El. for Artificers, Labourers, seruants of Husbandry, and apprentices, & of the good execution of the same, & where they shall find any faultes, to see the same seuerely punished without fauour or displeasure, and the said Iustices or two of them, whereof one to be of the Quorum, and the presidents and Counsell established in the Marches of Wales, and the North, and the Maior and head Officers of euery City, Towne corporat &c. haue power to heare and determine all offences committed against the foresaid statute, or against any branch thereof, aswel vpon indictment to be taken before them in the Sessions of the peace, as vpon accion of debt, or bill of complaint, to be sued by any person, and shal and may make proces against the defendaunt, and award execution, as in other cases they may, and shal certifie the estretes in Michaelmas terme into the Exchequer. And euery Iustice of peace, Maior, Bailiffe, and head officer, shall haue for euery day that he shall sit in, and about the execution of this stat. allowed vnto him v.s. of the fines and forfaitures or the penalties due to the Queene, by force of the said statute in such maner, as the said Iustices haue bene commonly payed for their comming and charges at the quarter sessions, so that the sitting of the said Iustices, Maior &c. be not at any one time aboue iii. daies for the matters contained in this stat. 5.El.4. S. Laborers.

Euery Iustice allowed v.s. a day.

High wayes.

69 ¶ The Iustices of peace of euery place, or county, in default of inquirie or presentment thereof made win the precint of any leet haue authoritie to enquire of all ỹ offẽces cõmitted win the limits of their commission, contrary to the stat. prouided 2. and 3. P. & M. for the amending of high wayes, at their quarter Sessions, and to assesse such fines therefore, as they or two of them, whereof one to be of the Quorum shall thinke meete, And the clerke of the peace shall make estretes indented, of the fines, forfaitures and amercements for the defaultes presented before the said Iustices, and shall deliuer the one part thereof sealed and signed by him to the Bailiffe or high Constable of euery hundred, rape, lathe, or wapentake, wherein the defaults shalbe presented, and the other halfe, to the Constables or Churchwardens of the Parish wherein the defaults were made, to be perely deliuered within sixe weekes after the feast of Saint Michael. 2. and 3. P. and M. 8. 5. El. 13. And the Superuisor appointed for the amending of high wayes, within one moneth after any offence committed contrary to the true meaning of eyther of the said Statutes, shall present euery such offence to the next Iustice of peace for the time being, which Iustice shall certifie the same presentment

sentment at the next generall sessions within the said county, vpon paine to forfeite for euery offence not certified v.li. And the Iustices of peace of euery County where such offences shall be committed, haue authoritie to inquire thereof, within the limittes of their commission, at euery their quarter Sessions, and to assesse such fines for the same, as they or two of them (whereof one to be of the Quorum) shall thinke meete. And euery Iustice of peace hath authoritie vpō his owne proper knowledge, in the open generall Sessions, to make presentment of any high way not well and sufficiētly repaired, or of any other default, or offence cōmitted within the limits of his commission, contrary to ẏ prouision or intēt of either of the foresaid stat. & euery such presentment shal be as good, & of the same force in ẏ lawe, as if the same had bene presented & adiudged by the othes of xii. men, and for euery default so presēted, the Iustices of peace of ẏ said County, shal immediatly at the said generall Sessions, assesse such fines, as to them or two of thē, whereof one to be of ẏ Quorum, shal be thought meete, sauing to euery person touched by such presentment, his lawful trauerse to the same. 5. El. 13. And all & euery Iustices of peace, in their sessiōs, shal heare & determine euery offence, matter and cause, that shall grow or arise by reason of the stat. prouided 18. El. for ẏ amending of high wayes. 18. El. 9. S. High wayes.

Bridges.

70 ¶ The Iustices of peace, of euery Shire of this Realme, Franchise, Citie, or Borough, or foure of them at the least, whereof one to be of the Quorum, haue power to enquire, heare, and determine in the generall Sessions, of all maner of anoyances of bridges broken in the high wayes, and of all anoyances of high wayes, which lye next adioyning to the endes of Bridges, and being distant from the said endes CCC. foote, to the dammage of the Queenes people, and to make such proces and paines vpon euery presentment before them made, for the reformation of the same, against such as ought to be charged for the making or amending of such bridges or high wayes, as the Queenes Iustices of her Bench vse commonly to doe, or as it shall seeme by their discretions necessary & conuenient for the speedy amending of the same, & where such decayed bridges, or high wayes lie in one shire or riding, or within a Citie or Towne corporat, and such persons, bodies politique, lands & tenemēts, which ought to be charged to the making & amending thereof lye & abide in another, or out of the said city or towne corporate, the Iustices of the shire, citie, or towne corporat, win wich the said decayed bridges or high wayes or any part thereof shall haue

power

power to enquire, heare, and determine all anoyances within the limittes of their Commissions, and to make Proces into euery shire within this Realme, against such as ought to amend such bridges, or high wayes, presented before them to be decayed, and to doe further in euery behalfe, as they might do by this Act, in case the persons lands &c. which ought to be charged, were in the same shire, ryding, City or Towne corporat where the anoyance is. The Iustices of peace or foure of them at the least, whereof one to be of the Quorum, of the Shire, ryding, or of the Citie, towne corporat &c. shall call before them the Constables, or two inhabitants of euery Towne & parish, within the shire, riding, city or towne corporat, as wel within liberties as without, wherein such bridges, or any parte thereof be, and with their assent, shall taxe euery inhabitant in euery such Citie, parish or towne, to such summe of money, as they shall thinke conuenient for the amendment of decayed bridges, when it cannot be knowen and proued, what persons landes, tenements, or bodies politike ought to repaire the saide bridges, and the said Iustices shall appoint two Collectors for the gathering of the money so taxed, and two Surueyours to see the decayed bridges repaired, and shall cal the same Collectors and Surueyours to accompt. 1. H. 8. 5. S. Bridges. 2. 3. 4.

Alehouses. 71 ¶ The Iustices of peace of euery shire, city, borough &c. two of them at ỳ leaſt, whereof one to be of the Quorū, haue auctoritie within the limittes of their iurisdiction, to discharge common selling of ale & beere, in common Alehouses and tippling houses in such townes and places, where they shall thinke meet, and none to keepe any commonalehouse &c. but such as shall be admitted in the open Sessions, or by two Iustices, whereof one to be of the Quorum, which shall take band and suretie by recognisance of such as be admitted, against vsing of vnlawfull games, and for the maintenance of good order, and for the making of euery such recognisance shal take but xi. d. And the Iustices where such recognisance is taken, haue auctoritie in their quarter sessions to inquire by presentment, information, or otherwise by their discretion, of all such persons as be allowed to keepe Alehouse &c. and that be bounde in recognisance, if they haue done any act, whereby they haue forfeited the same & to award proces against euery person so presented, or complained vpon, to shew why he should not forfeit his recognisance, & to determine the same, as by thē shalbe thought good, & they shall cause euery person to the cōmon gaole of the same shire, city, borough

which keepeth common Alehouse, being not admitted in forme a-
bouesaid, or commaunded to the contrarie, there to remaine for three
nights, and before his deliuerance, shall take recognisance of him
with sureties, that he shall not keepe any common Alehouse. And
the saide Iustices shall make certificat of euery such recognisance
and offence, at the next quarter Sessions, which certificat shalbe a
sufficient conuiccion in lawe of the same offendor, And if any Iu-
stice of peace doe take a recognisance of one which is allowed to
keepe a common Alehouse or tipling house, against the vsing of vn-
lawfull games, and for the maintenance of good order, and doe not
certifie the same at the next quarter Sessions to be holden within
the same Shire, Citie, Borough, Towne corporat, Franchise, or
Libertie &c. he shall forfaite to the Queene for euery offence iii.li.
13.Hii.d. 5.Ed.6.25.S. Alehouse.1.2.3.

Certificat of re cognisance for Alehouse.

72 ¶ The Iustices of peace in all Shires in England, shall in
their quarter Sessions next after Easter, yeerely examine ẏ perfor-
mance, or not performance of the statute prouided 14.El. for the re-
liefe of the poore and impotent, according to the tenour therof, as
they are bound to doe the stat. of Labourers. And at their quarter
Sessions shall yeerely appoint new Collectors, and newe ouersee-
ers, for the causes in the said statute limitted, and shall then also a-
gree vpon newe viewes and serches of the said impotent people,
within euery their limittes for the yeere following, if neede shalbe.
And further at their said Sessions, shall take order for all and eue-
rything that may in any wise further the intent of the saide acte.
14.Eliz.5.

Poore people.

73 ¶ Three Iustices of peace within all the Shires of this
Realme, whereof one to be of the Quorum, haue power to heare,
and determine all causes (except forfaitures of Iustices of peace)
that shall come in question by reason of the said statute prouided for
relieue of the poore. 14.El.5.

Relieue of the poore.

74 ¶ If any default shalbe found in any Iustices of peace, or
Quorum, in or about the executing of the said acte prouided for the
relief of the poore, euery of the said Iustices vpon proofe of the said
default, by two sufficient witnesses before the Iustices of assise, at the
next generall Sessions of gaole deliuery for the same Countie, af-
ter the same default, shall lose and forfaite v.li. of lawfull English
money, the one halfe therof to be to the vse of the said poore peo-
ple of the same Countie, and the other halfe to the Queene, which
shalbe leuied by ẏ discretion of ẏ said Iustices of assise. 14.El.5.

Relieue of the poore.

Poore people. Vagabonds.

75 ¶ The Iustices of peace within any Countie of this Realme, or Wales, shall not intromit or enter into any Citie, Borough, place or Towne corporat, where be any Iustice or Iustices of peace, for any such Citie &c. for the execution of any branch, article, or sentence of ẏ act prouided for the punishment of Vagabonds and reliefe of the poore & impotent, for, or concerning any offence, matter, or cause arising within the precincts, liberties or iurisdictions of such Citie, Borough, place, or Towne corporat, But it may and shalbe lawfull to the Iustice and Iustices of peace, Maiors, Bailifes, and other head officers of those Cities, Boroughs &c. where there be Iustice or Iustices, to proceede to the execution of the said act, within the precinct of their liberties, in such manner and forme, as the Iustices of peace in any Countie may or ought to do within the same Countie, by vertue of ẏ said act. And euery Iustice and Iustices of peace, within euery such Citie &c. for any offence by them or any of them committed contrary to the intent of the said statute, shalbe punishable and chargeable, as other Iustices of peace at large in the Counties, are by the said act appointed to be. 14. El. 5. S. Poore. S. Vagabonds.

Poore people.

76 ¶ If any Iustice of peace, assembled at any of the sessions next after Easter, shall from thence depart, before conference had touching the execution of the statute prouided for the setting of the poore on worke, and for the auoiding of idlenesse, he shall for euery offence forf. v. li. to be rec. and leuied as a fine, vpon indictment & conuiccio of trespas, & to be imploied to ẏ vse of ẏ prouision & furniture of ẏ house or houses of correccio, in such Countie. 18. El. 3. S. Poore.

Vagabonds.

77 ¶ If any person whatsoeuer he be, being aboue ẏ age of xiiii. yeeres, & set forth by ẏ act prouided for ẏ punishment of vagabonds made 14. El. to be a roge, vagabond, or sturdy begger, be at any time taken begging in any part of this Realme, or taken vagrant, wandring, & misordering himself, contrary to ẏ purport of the said act, or any part of ẏ same, he shal vpon his apprehension be brought before one of the Iustices of ẏ peace, or Maior, or chiefe officer of Cities, Boroughs & Townes corporat, within ẏ Countie, Citie &c. where the apprehension shall happen to be, & by ẏ said Iustice, or head officer be presently cõmitted to ẏ common gaole of ẏ said County being apprehended wthin ẏ Countie, or els such other place, as by ẏ Iustices of peace of ẏ Countie, or iii. of them, at any their generall sessions shalbe appointed. And if he be taken wthin any Citie, Borough, Towne corporat, then to be committed to the prison of the said Citie

tie ꝑe. there to remaine without baile or mainprise, vntill the next sessions of the peace, or generall gaole deliuery of the same Shire, Citie, &c. to be holdē which shal first happē. 14. El. 5. S. Vagabōds. 2.

78 ¶ The Iustices of peace of euery Shire where any Alebru- Bruers.
er, or Beere bruer doth dwell, out of a Citie, Borough, or Towne
orporat, or other place where no head Officers haue any rule, haue
power to sesse and taxe by their discretions, the prices of euery bar-
rell, kilderkin, or firkin of Beere and Ale, and the Ale & Beere bru-
ers shall not sell their Ale and Beere at any higher prices, then shal-
be to them by the said Iustices assigned. 23. H. 8. 4. S. Bruers. 2.

79 ¶ The prices of all barrels, kilderkins, firkins, & other ves- Vessels.
sels to be sold for Ale, Beere, or Sope to be vttered therein, where
such vessels shalbe made or sold, out of any Citie, Borough or towne
orporat, shalbe taxed by the Iustices of ẏ peace, or the more part of
them being present in the quarter sessions yeerely next after Easter,
at such prices as they shall thinke reasonable. 8. El. 9. S. Cowpers. 1.

80 ¶ The Iustices of peace within ẏ Counties of Suff. Norff. Atturneys.
and the Citie of Norwich, haue power to inquire in their sessions, of
any persons which presume to be Atturneys in any Courtes of re-
ord, in the said Counties or Citie, otherwise then is appointed by
he statute in that case prouided. 33. H. 6. 7. S. Atturney. 14.

81 ¶ The Iustices of peace win the Counties of Glouceſter & Keepers of Ferries and passages.
Somerset, at their quarter sessions, haue authoritie to cal before thē
such persōs which do keepe any Ferry or passage ouer ẏ riuer of
Seuerne into Wales, or ẏ Forrest of Deane, or out of Wales, or ẏ
said Forrest into England, & to bind them wᵗ sufficient suerties with
them in recognisāce, in such sūmes of money, as it shal seeme to the
discretiō of ẏ said Iustices, ẏ they & euery of thē being passēgers, &
keepers of Ferries & passages, shal not after ẏ Sun being set at the
night, or before ẏ Sun rising in ẏ morning, cōuey or carrie, or cause
to be cōueied or carried any maner of persō or persōs, or any kind of
victuel, but such persōs as they do know & wil answer for, & do know
where their abidings, dwellings, & habitatiōs be, & vpō request made
them or any of thē, shall from time to time disclose, aswell ẏ same
person or persons, as ẏ goodes & cattels so passing ẏ said passages,
in fresshe suite made vpon any felony, murder, or robberie com-
itted in the borders of the said Counties of Glouceſter and So-
erset, or in any other place within England, or South Wales.
33. Hen. 8. 5. S. Boates &c. 12.

82 ¶ The Iustices of peace or two of them at the least, of the Ouerseers of cloth.

Poore people. Vagabonds.

75 ¶ The Iustices of peace within any Countie of this Realme, or Wales, shall not intromit or enter into any Citie, Borough, place or Towne corporat, where be any Iustice or Iustices of peace, for any such Citie &c. for the execution of any branch, article, or sentence of ẏ act prouided for the punishment of Vagabonds and reliefe of the poore & impotent, for, or concerning any offence, matter, or cause arising within the precincts, liberties or iurisdictions of such Citie, Borough, place, or Towne corporat, But it may and shalbe lawfull to the Iustice and Iustices of peace, Maior, Bailifes, and other head officers of those Cities, Boroughs &c. where there be Iustice or Iustices, to proceede to the execution of the said act, within the precinct of their liberties, in such maner and forme, as the Iustices of peace in any Countie may or ought to do within the same Countie, by vertue of ẏ said act. And euery Iustice and Iustices of peace, within euery such Citie &c. for any offence by them or any of them committed contrary to the intent of the said statute, shalbe punishable and chargeable, as other Iustices of peace at large in the Counties, are by the said act appointed to be. 14. El. 5. S. Poore. S. Vagabonds.

Poore people.

76 ¶ If any Iustice of peace, assembled at any of the sessions next after Easter, shall from thence depart, before conference touching the execution of the statute prouided for the setting of the poore on worke, and for the auoiding of idlenesse, he shall for euery offence for. x. li. to be rec. and leuied as a fine, vpon indictment & vuiccio̅ of trespas, & to be imploied to ẏ vse of ẏ prouision & furniture of ẏ house or houses of correcciō, in such Countie. 18. El. 3. S. Poore.

Vagabonds.

77 ¶ If any person whatsoeuer he be, being aboue ẏ age of xiiii. yeeres, & set forth by ẏ act prouided for ẏ punishment of vagabonds made 14. El. to be a roge, vagabond, or sturdy begger, be at any time taken begging in any part of this Realme, or taken vagrant, wandring, & misordering himself, contrary to ẏ purport of the said act in any part of ẏ same, he shal vpon his apprehension be brought before one of the Iustices of ẏ peace, or Maior, or chiefe officer of Cities, Boroughs & Townes corporat, within ẏ Countie, Citie &c. where the apprehension shall happen to be, & by ẏ said Iustice, or head officer be presently cōmitted to ẏ common gaole of ẏ said County being apprehended wthin ẏ Countie, or els such other place, as by Iustices of peace of ẏ Countie, or iii. of them, at any their generall sessions shalbe appointed. And if he be taken wthin any Citie, Borough, Towne corporat, then to be committed to the prison of the said

ize, there to remaine without baile or mainprise, vntill the next sessions of the peace, or generall gaole deliuery of the same Shire, Citie, &c. to be holde which shal first happe. 14. El. 5. S. Vagabods. 2.

Bruers. 78 ¶ The Iustices of peace of euery Shire where any Alebru-er, or Beere bruer doth dwell, out of a Citie, Borough, or Towne corporat, or other place where no head Officers haue any rule, haue power to sesse and taxe by their discretions, the prices of euery barrell, kilderkin, or firkin of Beere and Ale, and the Ale & Beere bru-ers shall not sell their Ale and Beere at any higher prices, then shal-be to them by the said Iustices assigned. 23. H. 8. 4. S. Bruers. 2.

Vessels. 79 ¶ The prices of all barrels, kilderkins, firkins, & other ves-sels to be sold for Ale, Beere, or Sope to be vttered therein, where such vessels shalbe made or sold, out of any Citie, Borough or towne corporat, shalbe taxed by the Iustices of ỹ peace, or the more part of them being present in the quarter sessions yeerely next after Easter, at such prices as they shall thinke reasonable. 8. El. 9. S. Cowpers. 1.

Atturneis. 80 ¶ The Iustices of peace within ỹ Counties of Suff. Norff. and the Citie of Norwich, haue power to inquire in their sessions, of any persons which presume to be Atturneys in any Courtes of re-cord, in the said Counties or Citie, otherwise then is appointed by the statute in that case prouided. 33. H. 6. 7. S. Atturney. 14.

Keepers of Ferries and passages. 81 ¶ The Iustices of peace win the Counties of Glouceſter & Somerset, at their quarter sessions, haue authoritie to cal before thẽ such persõs which do keepe any Ferry or passage ouer ỹ riuer of Seuerne into Wales, or ỹ Forrest of Deane, or out of Wales, or ỹ said Forrest into England, & to bind them wᵗ sufficient suerties with them in recognisãce, in such sũmes of money, as it shal seeme to the discretiõ of ỹ said Iustices, ỹ they & euery of thẽ being passẽgers, & keepers of Ferries & passages, shal not after ỹ Sun being set at the night, or before ỹ Sun rising in ỹ morning, cõuey or carrie, or cause to be conueied or carried any maner of persõ or persõs, or any kind of cattel, but such persõs as they do know & wil answer for, & do know where their abidings, dwellings, & habitatiõs be, & vpõ request made them or any of thẽ, shall from time to time disclose, aswell ỹ same person or persons, as ỹ goodes & cattels so passing ỹ said passages, as freshe suite made vpon any felony, murder, or robberie com-mitted in the borders of the said Counties of Glouceſter and Somerset, or in any other place within England, or South Wales. 27. Hen. 8. 5. S. Boates &c. 12.

Ouerseers of cloth. 82 ¶ The Iustices of peace or two of them at the least, of the

Shire where any Towne, Uillage, or Hamlet not corporat in, where any cloth shalbe made or sold, haue full power once euery yere, to cal before them by their precept or otherwise, iii. iiii. vi. viii. or moe, (as they shal thinke good by their discretion) of the most honest, discreete, & indifferent men of euery such Towne, Uillage, or Hamlet, where any cloth shalbe made or solde, & them shall appoint to be ouerseers for one whole yeere then next following, within the Towne, Uillage or Hamlet, where the same ouerseers shalbe dwelling, charging them also vpon their othes, and as they doe tender the honour and common wealth of the Realme, that they doe endeuour themselues for that yeere, to see the Statute prouided 3. Ed. 6. for the true making of woollen cloth, to be obserued within the limittes of their charge. 3. Ed. 6. 2. S. Draperie. 68, 69, 70.

Faultie cloth. 83 ¶ If any person which shal retaile any of the Clothes, Kerseis, Frizes, Rugges, or Cottons, of the seuerall makings specified in the Statute prouided 5. Ed. 6. for the true making of woollen cloth, doe present any cloth which is defectiue or faultie, vnto the Iustices of peace next adioyning, out of a Citie, Borough, or Towne corporat, where such cloth shalbe found faultie, ỳ same Iustices shall cause the same cloth to be cut into three equall peces whereof the Queene shall haue one, the presentor an other, and the third they shall retaine to themselues. 5. Ed. 6. 6. S. Draperie. 31.

Souldier. 84 ¶ Euery Iustice of peace of the Countie where any souldier shalbe found, which shall giue, wilfully purloin, exchange, or put away any Horse, Mare, Gelding, or harneis, wherewith he shalbe horsed, shall commit the said souldier to Ward, vntill he hath satisfied the partie grieued for such Horse, harneis &c. so lost, purloyned or exchanged, except the same souldier were imprisoned for the same offence before by the Lieutenant, Captaine &c. or their deputies, and made restitution. 2. Ed. 6. 2. S. Captaine. 1.

The number of Sheepe. 85 ¶ The Iustices of peace of euery shire haue authoritie to enquire of the offendors of the statute made 25. H. 8. limitting the number of sheepe men shall keepe, and haue at one time (after the othes of xii. men, as by information of the Queenes Subiects and to make such like proces vpon euery presentmẽt or informacion concerning the said act, as they vse commonly to doe vpon presentments before them of trespas; and no person being conuicted by confession, or otherwise, that he hath done or attempted contrary to the said acte, shalbe put to any lesse fine; then after the rates & forfaitures limitted by the said acte. 25. H. 8. 13. S. Sheepe 3. &c.

86 ¶

86 ¶ The Iustices of peace, within the Countie where any de- Coroners.
fault of a Coroner is (which vpon request to him made, to come and
inquire of any person slaine, drowned, or otherwise dead by misad-
venture, doth not his office therein diligently, or taketh any thing
therefore) haue power to inquire thereof, & to determine the same,
aswel by examination, as by presentment. 1. H. 8. 7. S. Coroners. 16.

87 ¶ Iustices of peace haue power to heare and determine, vp- Escheators.
on presentment made before them in their Sessions, all forfaitures
committed by Escheators in selling, or setting to farme their offi-
ces, or making any deputies but such for whom they will answere,
contrary to ỹ statute in that case prouided. 12. Ed. 4. 9. S. Eschetors. 12

88 ¶ Iustices of peace haue power to holde plea, of any suite Sheriffes.
commenced by any person against the Sherife, or any of his mini-
sters, which by force of the estretes, doe leuy the Queenes debt of
him, and doe not tott the same which is paied, whereby the debt is
in other time demaunded of ỹ same pson. 42. Ed. 3. 9. S. Estretes. 1.

89 ¶ Where Iustices, or a Iustice of peace, vpon complaint to Defaultes of
him or them made of any forcible entrie, into landes or tenementes, Sheriffes.
or of detaining thereof with force, doe direct their precept to the
Sherife to returne sufficient and indifferent persons dwelling a-
bout the said landes, to inquire of such entries, If the said Sherife
or Bailife of Franchise, hauing returne of writs, be slacke and doe
not duely execute the said precepts to them directed, then the saide
Iustices or Iustice, haue power to heare & determine such defaults
and negligences of the said Sherifes and Bailifes, aswel by bill at
the suite of the P. grieued for himselfe, as by indictment onely for
the Queene. And if the Sherife or Bailife be attainted by indict-
ment or bill, he which sueth for the Q. and himselfe, shall haue the
moitie of xx. li. (which the offendor shall forfaite) together with his
costes and expences, and the proces against the offendor shalbe as in
Capias, vi & armis. 8. H. 6. 9. S. Force 2.

90 ¶ Iustices of peace in their countrey, haue power to inquire, Extorcions of
here, and determine all the extorcions, and other offences, commit- Sheriffes.
ted by Sherifes, vnder Sherifes, Coroners, Bailifes of Franchi-
ses and their ministers, contrary to the statute for them prouided
3. Hen. 6. in any article or point of the same statute. 23. Hen. 6. 10.
Coroners. 10. Sherifes. 5. 6. 7. 8. 9. 10. 11.

91 ¶ Iustices of peace in their sessions, haue authoritie to in- Vsury.
quire, heare, and determine, of all and singuler offences committed
against the statute prouided 37. Hen. 8. against vsury. 13. Eliz. 8.
Vsury. 1. 2. 3.

Waights and measures.

92 ¶ Two Iustices of peace, whereof one to be of ꝑ Quorum, haue authoꝛitie, aſwell by examination, as by inquirie, to heare and determine the defaultes of head officers of Cities, Boꝛoughs, and market Townes which doe not cauſe twiſe in the yeere at the leaſt, all waightes and meaſures therein to be bꝛought befoꝛe them, and the defectiue to be bꝛoken and burnt. And alſo of all buyers and ſellers, which doe not buy and ſell with waightes & meaſures, which be lawfull, and to ſet fines and amerciaments vpon the offendours accoꝛding to their diſcretions. 11.H.7.4. And alſo Iuſtices of peace haue powꝛe to inquire of falſifiers and counterfaiters of falſe waights, and to impꝛiſon, and in pꝛiſon to hold them, vntill they be attainted oꝛ acquitted, and if they be attainted, they ſhall remaine in pꝛiſon vntill they haue made fine by the Iuſtices diſcretion. And they ſhall inquire of, heare, and determine the ſame, ſo often as they ſhall thinke needefull. 9.H.5.8.S.Waights. 9.10.13.

The egges of wildfowle.

93 ¶ All Iuſtices of peace, within the limits of their commiſſion, haue authoꝛitie to inquire, heare and determine the offences of all thoſe, which ſhall willingly purloine, deſtroy, oꝛ conuey awaye, the eggꝛes of any kind of wildfoule, from the neſt oꝛ place where they ſhalbe layed by the ſame wildfoule, like as they commonly vſe to do in caſes of treſpaſſe. 25.H.8.11.3.Ed.6.7.S.Wildfoule.

Wines.

94 ¶ Iuſtices of peace in euery Shire of this Realme, within the limits of their commiſſions, aſwell within Franchiſes as without, haue authoꝛitie to examine, heare, inquire, and determine the defaultes of ſuch as ſhall attempt to ſell any wines in groſſe, oꝛ by retaile, contrary to the ſtatute made 28.Hen.8. limitting the pꝛices of wines, and to puniſh the offendoꝛs by impꝛiſonment, oꝛ otherwiſe by their diſcretions 28.H.8.14.S.Wines.1.2.

Wines.

95 ¶ The Iuſtices of peace of euery Countie, Citie, & Towne coꝛpoꝛat in their ſeuerall ſeſſions, haue auctoꝛitie to inquire by the othes of xii. lawfull men, of all and euery offence and offences done contrary to the ſtatute (made 7.Ed.6. to auoyde the great pꝛices and exceſſe of wines) And euery inquirie and pꝛeſentment taken, & by the othes of twelue lawful men, ſhalbe of ſuch foꝛce, as if the ſame were taken oꝛ had in the Kings Bench, And euery of the paines, penalties, and foꝛfaitures due by foꝛce of the ſaid acte, foꝛ any offence committed contrary to the foꝛme thereof, as ſhalbe found by pꝛeſentment, befoꝛe the ſaid Iuſtices, and no bill, plaint, accion, oꝛ information thereof commenced in any of the Queenes courtes of Recoꝛd, ſhalbe equally deuided into two partes, whereof the one ſhalbe to the

'to the Queene, her heires and succeſſors, and the other to the poore people of the towne or place, where ſuch preſentment ſhalbe found. 7.Ed.6.5.S.Wines.6.7.8.9.10.11.

96 ¶ All Iuſtices of peace in their ſeſſions within the limittes of their commiſſions, haue auctho̅itie to inquire, aſwel by the othes of twelue men, as otherwiſe by infor̅ation, & thereupon to heare, and determine all and ſinguler ſuch offences as ſhalbe done in the land, or within any hauen, or peere (contrary to the ſtatute prouided 5.El. touching certaine politique conſtitutions made for the maintenance of the Nauy) and if any perſon ſhalbe preſented before the ſaid Iuſtices within the limits of their auctho̅ities, or any infor̅ation giuen to them of any offendor of the ſaide acte, then they haue auctho̅itie, vpon ſuch preſentment or infor̅ation, to make proces againſt the offendors, as is commonly vſed vpon indictments of treſpas, and if any be preſented, and afterward conuicted by confeſſion, or otherwiſe, then he ſhall ſuffer no leſſe puniſhment or forfaiture, then in ẏ ſaid ſtatute is limitted, for the leuying of ẏ which forf. the ſaid Iuſtices within ẏ limits of their commiſſions, haue auctho̅itie to make ſuch proces as they ſhall thinke good by their diſcretions, But no infor̅ation at the ſuite of any perſon concerning the ſaid acte, ſhalbe of effect to put any perſon to anſwere, or forfaiture, except the ſame be commenced within halfe a yeere after the offence done, Nor any infor̅ation or preſentment for the Queene ſhalbe of effect &c. except the ſame be within one yeere after the offence committed, contrary to the ſaid acte. 5.El.5. S. Fiſh dayes, Hempe and Flaxe, 2. Shippes. 1.2.3.4.5. Maintenance of the Nauy.

97 ¶ The Iuſtices of peace, within any Countie of this realme, and euery of them haue power to inquire, heare and determine, the defaults and offences committed contrary to the ſtatute prouided 7.Ed.4. for the true making of tyle. And if it be found, or may appeare to the ſayd Iuſtices, or any of them, by examination or otherwiſe, that any perſon hath offended contrary to the ſayd acte, then the ſame Iuſtices ſhall aſſeſſe vpon the offendor no leſſe fine, then in the ſaide ſtatute is limitted. And the ſame Iuſtices haue power to ſigne expert perſons, in the occupation of Tile making, to ſearch and examine the making thereof, And euery preſentment made, by the ſaid ſearchers of any defaultes, before the ſaide Iuſtices at their next ſeſſions, ſhalbe as effectuall in ẏ law, as the preſentment of xii. men. And the Iuſtices haue power to examine, inquire, & determine defaults of ſcarchers, in like maner, as they haue of Tile makers. Tile makers.

17.Ed.4.4.S.Tiles.3.4.5.

Regrating of woolles.

98 ¶ Iustices of peace in their open sessions haue authoritie, vpon information to heare and determine the offences of woollyuers, or wool buyers, inhabiting within the parish of Halifax, which shall sell their wools at any other place, fourth of the Towne of Halifax, And also of all such, as shall buy their wools at Halifax, and sell them againe vnwrought in yarne, or cloth, and to make proces against the offendors, as in other cases to be determined before them. 2.E 3.P.E 9.13. S.Woolles.5.

Bastards.

99 ¶ Two Iustices of peace, whereof one to be of the Quorum, in or next vnto the limits where the parishe Church is, within which parish any bastard begotten and borne out of lawfull matrimonie shalbe borne, (vpon examination of the cause, and circumstance) shall and may by their discretions, take order aswell for the punishment of the mother, and reputed father of such bastard child, and also for the better relieue of euery such parish in part or in all. And shal and may likewise, by like discretion, take order for the keeping of euery such bastard childe, by charging such mother or reputed father with the payment of money weekely, or other sustentation for the relieue of such childe, in such wise as they shal thinke conuenient. 18.El.3.S.Bastardy.1.

Certificat of Agnus dei, Crolles &c.

100 ¶ If any person to whom any Agnus dei, Crolles, Pictures, or Beades shalbe offered, doe bring the partie that made him that offer, to a Iustice of peace of that Shire, or within three dayes after such offer made, doe disclose to him the name of the partie, his dwelling or place of resort, and if the same Iustice doe not within xiiii. dayes next after any such matter shalbe shewed vnto him, declare the same to one of the Queenes priuie Counsell: Then the Iustice shall incurre the daunger, paine and forf. of premunire provided 16.R.2. 13.El.2.S.Rome.5.6.

Tithes.

101 ¶ Two Iustices of peace whereof one to be of the Quorum, vpon information, certificat, or complaint, to them made in writing by any Ecclesiasticall Iudge, that gaue sentence against any person, which obstinately, and wilfully refused to pay his tithe or such summe of money, wherein he was condempned for the same, haue authoritie to cause the same partie to be attached, and committed to the next gaole, vntill he hath found sufficient suertie to be bound to the Queene, to performe the said sentence 32.H.8.7. The like authoritie haue any of the Queenes Counsel or two Iustices of peace &c. vpon ỹ ecclesiastical Iudges request, for any contu-

contuma

contumacie or other misdemeanour of the partie defendaunt in any suite for subtraction of tithes, offrings, or other duties of the Church until he hath found suertie &c. 27.H.8.20.S. Tithes.22.

Certificat of recognisance.

102 Euery Justice of peace, within this Realme, that shal take any recognisance for the keeping of the peace, shall certifie, sende, or bring the same recognisance at the next sessions of peace, where he is or hath bene Justice, that the partie so bounde may be called. And if the partie make default, the same default, thē there to be recorded, And the same recognisance with the recorde of that default, shall be sent, and certified into the Chauncery, the Kings Bench, or into the Eschequer. 3.H.7.1.

Bailement of offendors.

103 No Justice, or Justices of peace, shall let to bayle or mainprise any such person or persons, which for any offence by any of them committed, be declared not to be repleuished, or bayled, or be forbidden to be replened or bayled by the statute made 3.Ed.1. Nor any person arrested for manslaughter, or felony, or suspicion of manslaughter, or felony, beyng baylable by the lawe, shalbe let to bayle or mainprise by any Justices of peace, if it be not in open Sessions, except it be by ii. Justices of peace at the least, whereof one to be of the Quorum, And the same Justices to be present together at the time of the said bailemēt or mainprise, which bailement or mainprise they shall certifie in writing, subscribed, or signed with their owne hands, at the next general gaole deliuery, to be holden within ỹ coūtie where the persons shall be arrested or suspected, And the said Justices or one of them, being of the Quorum, where any such prisoner is brought before them, for manslaughter or felony, before any bailement or mainprise, shal take the examination of the prisoner, & information of them that bring him, of the fact, & circumstances thereof. And the same, or asmuch therof, as shalbe material to proue the felony, shall put in writing, before they make the bailment, which examination, together with the baylement, the said Justices shal certifie at the next general gaole deliuerie, to be holden within the limittes of their commission, And also the said Justices haue auctoritie to bind all such by recognisaunce, or obligation, as do declare any thing material to proue the sayde manslaughter, or felony, to appeare at the next generall gaole deliuery to be holden within the Countie, citie, or towne corporat, where the tryall thereof shalbe, then and there to geue euidence agaynst the partie so indicted, at the tyme of his tryall, and shall certifie euery such bande taken before them at the next generall gaole diliuery. And if any Justice of peace, or Quorum

shall

shall offend in any thing contrary to the true intent and meaning of this Acte, the Iustices of gaole delinery of the shire, citie, towne &c. where such offence shall be committed, vpon due proofe thereof by examination before them, shal for euery offence, set such fine on euery of the same Iustices of peace, as the same Iustices of gaole deliuerie shall thinke meete. But the Iustices of peace, and Coroners in London and Middlesex, and in other cities, boroughs and townes corporat in England and Wales, haue auctoritie to let to bayle felons and prisoners, as they haue bene heretofore accustomed, But they shall take examinations and bandes as is aforesayde, vpon euery baylement by any of them made, and shall certifie them at the next gaole deliuerie, to be holden within the shire, citie, borough &c. vnder the foresayd payne &c. 1. & 2. P. & M. 13. S. Mainprise. 52.

Imprisonmēt of offendors.

104 ¶ In like sorte euery Iustice or Iustices of peace, before whom any person shalbe brought for manslaughter or felony, or by suspicion therof, before he or they shal cōmit such prysoner to warde, shall take the examination of such prisoner, and information of those that bring him, of the fact, and circumstances thereof, and the same, or asmuch thereof, as shall be materiall to proue the felony, shall put in wryting, within two dayes after the sayd examination, and the same shall certifie in such maner and fourme, and at such tyme, as they should and ought to doe, if the prysoner had bene bayled, or let to mainprysse, vpon such payne, as in the former statute is expressed for not taking, or not certifying examinations. And the sayde Iustices haue auctoritie to bynde all such by obligation, or recognisaunce, as doe declare any thing materiall to proue the manslaughter, or felony, to appeare at the next generall Gaole deliuery &c. & gyue euidence &c. and shall certifie the sayde bondes. Vt supra, 2. & 3. P. & M. 10.

105 ¶ The Iustices of peace within the shires next adioyning to the Ryuer of Thamys, betwyxt Graueseend and Windsor, within their seueral iurisdictions, haue auctoritie vpon complaynt made vnto them, or any of them, by the eyght ouerseers of watermen, or two of them, or by the master of any seruant beyng a waterman, to examine, heare and determine all complayntes and offences, committed by any such person, that shall offende contrary to the true meaning of the Statute prouided 2. & 3. P. & M. for watermen, vpon the Ryuer of Thamyse, and to sette at libertie euery person prysoned by the sayde ouerseers, if iust cause shal appeare vnto them so to doe, And to correct the sayde ouerseers, that shal without

Watermen.

tanse punish any person, by colour of the sayd Acte. 2.& 3.P.& M. 16.S.Boats.2.

106 ¶ All and singuler Commissions graunted, or to be graunted to any Citie, or Towne Corporat, not beyng a Countie in it selfe, for the keeping of their peace, and delyuerie of the prysoners remayning in the Gaoles of any such Citie, or Towne corporat, shall remayne and be good in the lawe, to all intentes, the graunting of any like commission of peace or gaole deliuery, to any Commissioner or Commissioners, for the conseruation of the peace, or deliuery of the prysoners, remaynyng in the Gaole of any Shire, Lathe, Rape, Ryding, or Wapentake within this Realme of England, bearing date after the sayd commission or commissions graunted to any such Citie or Towne corporat, not beyng a Countie in it selfe, to the contrary notwithstanding. 2.& 3.P.& M.18.S. Discontinuance of proces.6. One Cõmissiõ of the peace shal not be a supersedeas, to an other.

107 ¶ The Act made agaynst vnlawfull, and rebellious assemblies, or the effect thereof, shall be read or declared at euery quarter sessions. (1.M.12.) And so shall the Statute made. 5.El.1. for assurance of the Queenes power ouer all estates. And so shall the Statute made 33.H.8. for the mayntenance of Artillery, and debarring vnlawfull games. Statutes declared at sessions.

108 ¶ Iustices of peace haue authoritie to inquire of, heare and determine diuers other offences, prohibited by seuerall Statutes in force, but the authoritie is specially gyuen vnto them by the words of the Queenes commission of peace, & not by the letter of any of the sayd statutes, & therefore see the Commission, & peruse the statutes placed in their apt titles, in this treatise.

1 That no Sherife shalbe Iustice of peace in the countie where & when he is Sherife. S.Sherife.21. Sherife not Iustice.

2 That Sherifes shal deliuer all indictments & presentments taken before them at their turnes, to the Iustices of peace, and that the Iustices shal make proces against, arraygne, & deliuer the offendors. Sherifes.12.13.14.15. Indictments in Turnes.

3 That ii. Iustices of peace may examine Sherifes, vnder Sherifs, the Clerkes and Bailifes of hundreds, of entering of plaints before them, & execution of proces, and who shall appoynt those Iustices, and how they shal reforme offences. S.Sherifs.16.20. Examination of Sherifs, &c.

4 That the Sherifs shal make no estretes to leuy amerciaments vnto two Iustices haue had the oueresight thereof, & that one part of the estretes indented shal remayne with the Iustices. S.Sherifs.18. Estretes.

5 That

Sheriffes Bailifes. 5 That Iuſtices may ſweare the Sherifs Bailifs, to gather but their duetie, and after examine them thereof. S. Sherifes. 19.

Precept into another cõtie. 6 Where Iuſtices of peace may direct their precept, to be executed out of their limits of their commiſſion. S. Priſon. 2. Indictments. 2. 3. Laborers. 28. Bridges. 5.

Priſons. 7 For the auctoritie of Iuſtices of peace concerning the edifying of gaoles in certaine Counties, the aſſeſſing of the ſhire, the appoynting of Collectors, and ſurueyors, & calling them to accompt. S. Priſon. 1. 2.

Offendors. 8 To what priſons Iuſtices of peace ſhall committe offendors. S. Priſons. 7.

Gunners. 9 That a Iuſtice of peace ſhall receiue the names of thoſe which ſhoote in gunnes, & cauſe them to be recorded. S. Gunnes. 11.

Hoſpitalles. 10 That two Iuſtices of peace ſhall be aſſiſtant to the Biſhop or his Chancellor, to take their accompt, which haue the collection of hoſpitall lands. S. Hoſpitals. 1.

Panels. 11 That Iuſtices of peace may reforme panels, returned before them. S. Iurors. 8.

Cõcealments. 12 That Iuſtices of peace may take enqueſtes to inquire of concealements of other enqueſts. S. Iurors. 9.

Mariners. 13 For Iuſtices auctoritie, in taking Mariners to ſerue the Q. on the ſea. S. Mariners. 3.

Phyſicians. 14 That Iuſtices within London & vii. miles compaſſe, ſhall aſſiſt the Colledge of Phyſicians, to execute the ſtatutes for them prouided. S. Phyſicians. 10.

Making Iuſtices. 15 That none hath auctoritie to make Iuſtices of peace, but the Queene. S. Prerogatiue. 17.

Riots. 16 That Iuſtices of peace ſhall arreſt thoſe which commit Riots, inquire of Riots, & certifie the ſame. S. Riots. 1. 2. 3. 5.

Inquirie of riots. 17 That cõmiſſions ſhalbe awarded, to inquire of the default of Iuſtices of peace touching inquirie of riots. And that the Chancellors ſhal direct a writ vnto them to make inquirie. S. Riots. 6.

Maintenors. 18 What the Iuſtices ſhall forf. which doe not certifie the names of the maintainors, or embraceors, with their miſdemeanours, whoſe meanes any Riot is not found by the Iurie. S. Riots. 15.

Rebellions. 19 For the duetie of Iuſtices of peace, concerning the execution of the ſtatute made againſt vnlawfull & rebellious aſſemblies. S. Riots. 16. &c.

Preachers. 20 For the duetie of Iuſtices of peace, concerning the examination and puniſhment of any which ſhall diſturbe, or miſuſe [illegible] preach

preacher in his sermon, or which shal rescue or disturbe the arrest of any such offendor, or suffer him to escape. S. Preachers. 1. 2. 3.

21 That Iustices of peace shall receiue Dockets, of the high Cō- stables, petit Constables, & headboroughs, of all such things which be purueied for the Q. within the same Countie where &c. And shal deliuer them ouer to the lord Steward, Treasorer, or Comptroller of the Queenes house. S. Purueyours. 29. Dockettes.

22 Where a Iustice of peace may take an abiured person out of Sanctuarie. S. Sainctuarie. 9. Abiured.

23 Where Iustices of peace shall execute the commission of Sewers. S. Sewers. 16. Sewers.

24 That Iustices of peace shall limit vitailers gaine, & punish thē which take excessiue. S. Vitailers. 3. Vitailers.

25 That Iustices of peace may enter into a marchaunts house which denyeth to sell wine, at the price assessed &c. and sell & deli- uer the same. S. Wines. 4. Wintners.

26 That none shall sell wines in townes not corporat, but by the iudgment of the Iustices of peace. S. Wines. 9. Wines.

27 Where two Iustices shal deuide a wood, if the owner & com- moners thereupon cannot agree. S. Woods. 8. 9. Woods.

28 For the authoritie of Iustices in punishing those which go or be armed. S. Armour. 10.

Laborers, Artificers, Seruants, Apprentices.

NO person shal retaine, hire, or take into seruice, or cause to be re- tayned, hyred, or taken into seruice, nor any person shalbe retay- ned to worke for any lesse time then for one whole yere, in any of the sciences, or arts of Clothiers, Woollen cloth weauers, Tuckers, Fullers, Clothworkers, Sheremē, Diers, Iolers, Tailers, Shoo- makers, Tanners, Pewterers, Bakers, Bruers, Glouers, Cutlers, Smithes, Ferrors, Curriors, Sadlers, Spurriers, Turners, Cap- makers, Hatmakers, or Feltmakers, Bowyers, Fletchers, Arowhead- makers, Butchers, Cookes, or Millers. 5. El. 4. None of these seruāts shall be retained vnder a yeere.

EVery person vnmaried, & euery other person vnder ỹ age of xxx. yeres maried, hauing bene brought vp in any of the said artes, or mysteries, or that hath vsed or exercised any of them by the space of iii. yeres & more, and not hauing lands, tenements, rents, or hereditā- ments, copyhold or freehold of one estate of inheritance, or for terme of life or lines, of the clere yerely value of xl. s. nor beyng worth in moueable goods the clere value of x. li. and so allowed by two Iu- stices of the peace of the Countie where he hath most commonly in- habited These persons vpon request are cōpellable to serue in han- dicrafts.

habited by the ſpace of one whole yeere, and vnder their handes and ſeales, or by the Maior, or other head officer of the citie, borough, or towne corporat, where ſuch perſon hath moſt commonly dwelled by the ſpace of one whole yere, & two Aldermen, or two other diſcreet Burgeſſes of the ſame citie &c. if there be no Aldermen, vnder their hands and ſeales, nor beyng retayned with any perſon in huſbandry, or in any of the foreſayde artes according to this ſtatute, nor lawfully retained in any other art or ſcience, nor beyng lawfully retained in houſhold, or in any office with any noble man, gentleman, or other according to the lawes of this Realme, nor hauing a conuenient farme or other holding in tillage whereupon he may employ himſelfe or his, that during the time that he or they ſhalbe ſo vnmaryed, or vnder the ſayde age of xxx. yeeres, vpon requeſt made by any perſon vſing the Arte or Myſterie wherein the ſayd perſon ſo required hath been exerciſed as is aforeſayde, be retayned, and ſhall not refuſe to ſerue according to the tenour of this Statute, vpon the payne herein mencioned. 5. El. 4.

These perſons are cõpellable to ſerue in huſbandry.

3 Euery perſon betwene the age of xii. yeres, & the age of lx. yeres, not being lawfully retayned, nor apprentice with any Fiſhman or Mariner haunting the ſeas, nor beyng in ſeruice with any kidder or carryer of any corne or meale, for prouiſion of the citie of London, nor with any huſband in huſbandry, nor in any citie, towne corporat, or market towne, in any of the artes or ſciences appoynted by this ſtatute, to haue or take apprentices, nor being retayned by the yeere or halfe the yeere at the leaſt, for the dygging, ſeeking, finding, getting, melting, ſtiming, wooorking, trying, or making of any Iron, Tinne, Lead, Iron, Copper, ſtone, ſeacole, ſtonecole, Mooreſcole, cherkcole, nor being occupied in or about ỹ making of any glaſſe, nor being a gentleman borne, nor being a ſtudent, or ſcholer in any of the Vniuerſities, or in any ſchole, nor hauing lands, tenements, rents, hereditaments, for terme of life, or of one eſtate of inheritance or freehold clere yerely value of xl. s. nor beyng worth in goods & cattels to the value of x. li. nor hauing a father or mother then lyuing, or other anceſtor, whoſe heire apparant he is then hauing landes, tenements, hereditaments, or the yeerely value of x. li. or aboue, or goods, or cattels of the value of xl. li. nor beyng a conuenient or neceſſary ſeruant or ſeruant lawfully retayned as is aforeſayde, nor hauing a conuenient farme or holding, whereupon he may or ſhall imploye himſelfe, nor beyng otherwiſe lawfully retayned, according to the true meaning of this ſtatute, ſhalbe compelled to be retayned to ſerue in

...ayny, by the yere, with any person that keepeth husbandry, and wil require any such person to serue, within the same shire where he shal be so required. 5. El. 4.

4 ¶ If any person do by any secret meanes, directly or indirectly ...tayne, or keepe any seruant, workeman, or laborer, or doth gyue a- ...more or greater wages, or other commoditie, cõtrary to the true ...ning of this statute, or contrary to the rates or wages assessed or ...inted in the proclamations made for ỳ purpose, in the countie, ... or borough, where he doth inhabit, then he that shal so offend & ...thereof lawfully conuicted before any Justice of peace of the coũ- ...the Maior, or other head officer of the citie, borough, or towne ...at, and two Aldermen, or two discreet Burgesses if there be ...dermen, or before the Lord Presidẽt and councell in the mar- ...of Wales, or the Lord Presidẽt & councel in the North parts, ...suffer imprisonment by the space of x. dayes, without bayle or ...mpise and forf. v. li. And euery person that shalbe so retayned and ...wages contrary to this statute, or any braunch therof, or of the ...proclamation, and shalbe thereof conuicted before the Justices ...layd, or any two of them, or before the Maior or head officers a- ...layd, shall suffer imprisonment by the space of xxi. dayes without ...le or mainprise. And euery retayner, promise, gyfte, or payment ...ages or other thing whatsoeuer, contrary to the true meaning ...is Statute, and euery writing and bond made for that purpose, ...be vtterly voyde. 5. El. 4. Howe the wages shalbe rated. S. Iustice ...eace. 66.

Retayning or giuing wages contrary to the statute.

Taking of wages contrary to the statute.

5 ¶ If any person after he hath retayned any seruant, shal put a- ...the same seruant before the end of his terme, vnles it be for some ...nable and sufficient cause to be allowed before two Justices of ..., or one at the least within the sayde Countie, or before the Ma- ...or other chiefe officer of the citie, borough, or Towne corporat, ...rein the sayde person inhabiteth, or if any such Master, Mistres, ...ame, shall put away any such seruaunt at the end of his terme, ...out one quarters warning giuen before the sayd end, then euery ...master &c. so offending, shall forfaite xl. s. vnlesse he be able to ...e by two sufficient witnesses, some reasonable and sufficient ...of putting away of his seruant during the terme, or a quarters ...g giuen before the end thereof, before the Justices of Oyer & ..., Justices of assise, Justices of the peace in the quarter ses- ...before the Maior or head officer of any Citie, Borough or ...corporat, & two Aldermen, or two other discreet Burgesses

Putting away a seruãt within the terme.

Putting away the seruãt with out a quarters warning.

of

of the same Citie &c. if there be no Aldermē, or before the Lord Pre-
sident & counsel in the marches of Wales or in the North. 5. El. 4.

The seruāt departing within his terme, or without warning, or refusing to serue.

6 If any seruant retayned according to this statute, depart fro his maister, mistres, or dames seruice before the ende of his terme, vn-
lesse it be for some reasonable and sufficient cause, to be allowed as is aforesayde: Or if any seruant at the ende of his terme depart from his masters &c. seruice, without one quarters warning giuen before the end of his terme, and before two lawfull witnesses, or if any per-
son compellable & bounde to be retayned and to serue in husban-
or in any other sciences aboue remembred, by the yere or other doe vpon request made, refuse to serue for the wages rated and ap-
pointed by the Queenes proclamation in that county, citie, bo-
where &c. according to the forme of this statute, or promise or co-
nant to serue, and doe not serue according to the tenour of the s
then euery seruant so departing away, and euery person so refu
to serue for such wages, vpon cōplaint therof made by the maste
of the said seruant, or by the partie to, or with whom the said refu
is made, or promise not kept, to two Iustices of peace of the co
tie, or to the Maior or other head officer of the Citie, Borough
and two Aldermen, or two other discreet Burgesses of the same
tie &c. if there be no Aldermen where the sayd Master &c. or the
partie to or with whome the sayde refusall is made, or promis
kept, dwelleth, or to eyther of the sayd Lordes Presidents and co
cell of Wales, and the North, The sayde Iustices, Presidentes
Councell, and the sayde Maiors, head officers, and other perso
Cities, Borroughs &c. or any of them, haue power to heare and
mine the matter, and finding the sayde seruant, or the sayde p
so refusing, faultie in the premisses, vpon such proofes & good
ter, as to their discretions shalbe thought sufficient, to commit
to warde, there to remayne without Bayle or mainprise, vntill
shall be bounde to the partie, to whome the offence shall be m
to serue and continue with him, for the wages limitted accord
the tenour of this Statute, and then to be discharged vpon his
uerie, without paying any fee to the gaoler where he shalbe so
soned. 5. El. 4.

Seruants shal not depart into other Townes without testimoniall.

7 None of the sayde retayned persons in husbandrie,
ny the Artes or sciences aboue remembred, after the tyme o
tayner expired, shal depart fooryth of one Citie, Towne, or
an other, Nor out of the Lathe, Rape, wapentake, or hundred,
out of the countie or shire where he last serued, to serue in any

Citie, Towne corporate, Lathe, Rape, wapentake, hundred, shire, or countie, vnlesse he haue a Testimoniall vnder ỹ seale of the said Citie or towne corporate, or of the Constable, or other head Officer, and of two other honest householders of the Citie, Towne, or Parish where he last serued, declaring his lawfull departure, and the name of the Shire and place where he dwelled last before his departure, according to the forme hereafter expressed, which certificat, or Testimoniall shalbe written and deliuered vnto ỹ sayd seruant, and also Registred by the Parson, Vicar, or Curat of the Parish where such maister, mistres, or dame doth dwell, takyng for the doing thereof ij.d. ⁊ not aboue. Memorandum that A.B. seruant to C.D. of E. husbandman or Taylor &c. in the sayd countie, is licensed to depart from his said Maister, and is at hys libertie to serue elsewhere, according to ỹ statut in that case made and prouided. In witnesse whereof &c. dated the day, moneth, yere, and place &c. of the making thereof. 5. El. 4. The forme of the testimonial.

¶ No person that shall depart out of seruice, shalbe retained or accepted vnto any other seruice, without shewing before his retayner, such Testimonial as is before remembred to ỹ chiefe Officer of the towne corporate, and in euery other Towne and place to the Constable, Curat, Churchwarden, or head Officer of the same where he shalbe retayned to serue, vpon the paine that euery such seruant so departing without such Certificat or Testimoniall, shalbe imprisoned vntill he procure a Testimonial or Certificat, the which if he cannot doe within the space of xxi. dayes next after the first day of his imprisonment, then the said person shalbe whipped, and vsed as a vagabound, according to the lawes in such case prouided. And euery person retayning any such seruant without shewing such Testimoniall, or Certificat, shal forfait for euery such offence x.li. And if any such person shalbe taken with any counterfait or forged Testimoniall, then he shalbe whipped as a vagabond. 5. El. 4. No seruãt shal be retained without shewing his Testimonall. Counterfait Testimonial.

¶ All artificers and labourers, being hyered for wages by the day or weeke, shal betwixt the middest of the monethes of March and September, be, and continue at their worke, at or before v. of the clocke in the morning, and continue at worke, and not depart vntill betwixt vii. and viii. of the clocke at night, except it be in ỹ time of breakfast, dynner, or drinking, the which times at the most shal not exceede aboue two howers and a halfe in the day, that is to say, for drinking one halfe hower, for his dynner one hower, & for his sleepe when he is allowed to sleepe, (the which is from the middest of May to the middest of August) halfe an hower at the

How longe workemen shal continue at their labor.

moſt, and at euery breakefaſt one halfe houer. And all the ſaid Artificers & laborers betwene the middeſt of September, and the middeſt of March, ſhalbe & continue at their worke, from ỳ ſpring of the day in the morning euntill night, except it be in time before appoynted for breakfaſt and dinner, vpon paine to forfait one penny for euery howers abſence, to be defaulked out of his wages that ſhal ſo offende. 5. El. 4.

None ſhal departe from his worke before it be finiſhed.

10 ¶ Euery Artificer & Laborer that ſhalbe lawfully retained in or for the building, or repayring of any Church houſe, ſhip, or euery other pece of worke taken in great, in taſke, or in gro ỳ ſhal take vpõ him to make or finiſh any ſuch thing or work ſhal continue & not depart from the ſame (vnleſſe it be for non ying of his wages or hyer agreed on, or otherwiſe lawfully or appoynted to ſerue the Quéene &c. or for other lawfull cauſ wõut lycence of the maſter or owner of the worke, or of him hath the charge thereof) before the fynifhing of the ſame wo vpon paine of impriſonment by one moneth wõut baile or mai priſe, & the forfaiture of v. li. to the party from whõ he ſhall ſo part, for ỳ which ỳ ſaid party may haue his accion of debt aga him that ſhal ſo depart in any the Quéenes courts of recorde, ſides ſuch ordinarie coſtes & damages, as may or ought to be re uered by the cõmon lawes, for any ſuch offence, wherein no &c. E. P. &c. And no other Artificer, or Laborer, retayned in ſeruice to worke with the Quéene, or any other perſon, ſhal de from her maieſtie, or from the ſaid perſon vntill the worke be niſhed, if the perſon ſo retayning the artificer or laborer, ſo l will haue him, & pay him his wages, or other duities, vpon pa of impriſonment of euery perſon ſo departing by the ſpace of Moneth. 5. El. 4.

Going into other ſhires for harueſt worke.

11 ¶ But al perſons of the counties where they haue acc med to goe into other ſhires for harueſt worke, & hauing at ỳ no harueſt worke ſufficiẽt in ỳ ſame towne, nor county wher or they dwelt in the winter then laſt paſt, bringing wõ him or a Teſtimonial vnder the hand & ſeale of one Juſtice of ỳ peac the ſhire, or other head Officer of the towne or place where they come frõ, teſtifiyng ỳ ſame, for ỳ which he ſhal not pay j. ỽ. (other thẽ ſuch perſons as ſhalbe retayned in ſeruice acco to ỳ forme of this ſtatut) may reſort in harueſt of hay or co the countries wherein their dwelling places are, into any place or countrey, for the only mowing, reaping, & getting co rne, & grayne, and for the onely working of harueſt wo they might haue done before the making of this ſtatut 5. El.

12 ¶If any seruaunt, workman, or laborer, shall wilfully or maliciously make any assault or affray vpon his master, mistres, or dame, or vpon any other, that shal at that time haue the charge or ouersight of him, or of the worke wherein he is appoynted or hyred to worke, & being thereof conuicted before any two of the Justices, Maior, or head Officer aforesaid, where the said offence is committed, or before either of the said Lordes, Presidents, and Councell before remembred, by confession of ỳ said seruant, workman or laborer, or by the witnes & othe of two honest men: Then euery such offendor shall suffer imprisonment by the space of one whole yere, or lesse, by the discretion of two Justices of peace, if it be without a towne corporate, and if it be within a towne corporate, then by the discretion of the Maior, or head Officer of ỳ same towne corporate, with two others of the discretest persons of the same corporation at ỳ least. And if the offence shal requier further punishment, then to receiue such other open punishmẽt (so as extend not to life, nor limme) as the Justices of peace in open sessions, or as the more part of them, or the said Maior, or head Officer, and fiue or fower at the least of the discrete persones of the said corporation, before whom the offence shalbe examined, shal seme conuenient for the qualitie of the said offence so cõmitted. El. 4.

A seruant or workman assaulting hys Master.

13 ¶In the time of hay, or corne haruest, the Justices of peace, euery of them, and also the Constable, or other head Officer of euery towneship, vpon request, and for the auoyding of the losse of corne or hay, shal & may cause al such Artificers and persons, as be meete to labor by the discretion of any of the said Justices, Constables, or other head officers, to serue by the day for ỳ mowing, reaping, shering, getting, or inning of Corne and hay, according to the skill and qualitie of the person, and none of the said persons shal refuse so to doe, vpon paine to suffer imprisonmẽt in the stockes by the space of two dayes and one night. And the Constable of the Towne or other head officer of the same where the said offence shalbe made, vpon complaint to him made, shal haue auctoritie to set the said offendor in the stockes for the time aforesaid, and punish him accordingly, vpon paine to lose and forfait for not doing thereof the summe of xl.s.5.El.4.

Artificers are compellable to worke in haruest.

¶Two Justices of peace, the Maior, or other head officers of any Citie, Borough, or towne corporat, and two Aldermen, or other discrete Burgesses of ỳ same citie &c. if there be no Aldermen, shall & may appoint any such woman, as is of the age of xl. yeres, & vnder the age of xl. yeres, and vnmaried, and forth of

Women compellable to serue.

ſeruice, as they ſhall thinke meete to ſerue, to be retayned & ſerue by the yeare, by the weeke, or day, for ſuch wages, and in ſuch reaſonable ſort, as they ſhal thinke meete. And if any ſuch woman ſo refuſe ſo to ſerue, then it ſhalbe lawfull for ỹ ſaid Juſtices, Maior, or head officer, to commit her to warde, vntill ſhe ſhalbe bounde to ſerue as is aforeſaid. 5. El. 4.

A huſbandman may take an apprentice.

15 ¶ Euery perſon being an houſholder, and hauing & tilling halfe a plough land at the leaſt in tillage, may haue and receyue to an apprentice any perſon aboue the age of x. yeares & vnder the age of xviii. yeres, to ſerue in huſbandry, vntil his age of xxi. yeres at the leaſt, or vntil the age of xxiiij. yeres, as the parties can agree, and the ſaid retainer & taking of an apprentice, ſhalbe done by indenture. 5. El. 4. S. 12. R. 2. 5. if a Child vſe huſbandry vntil the age of xij. yeres, & be made an apprentice after to any miſtery, his couenant ſhalbe voide. But whether this be in force, or repealed by the generall words of 5. El. 4. Quere.

Quere. What prentices inhabitants in Townes corporat may take.

16 ¶ Euery perſon being an houſholder, & xxiiij. yeres old at the leaſt, dwelling in any Citie, or towne corporat, and vſing any art, miſterie, or manuel occupation there, ſhall and may, during ſuch time that he ſhal there dwell and vſe any ſuch art &c. haue and retaine the ſonne of any freeman not occupying huſbandry, nor being a laborer, & inhabiting in ỹ ſame or in any other citie or towne corporat to ſerue and be bound as an apprentice after the cuſtome & order of the citie of London, for vii. yeares at the leaſt, ſo as the terme of ſuch apprentice doe not determine before he ſhalbe of the age of xxiiii. yeares at the leaſt. 5. El. 4.

Theſe muſt take prentices, whoſe parents may diſpend ſome landes.

17 ¶ It is not lawfull for any perſon dwelling in any citie, towne corporat, vſing any of the miſteries or craftes of a mercer, trafficquing by trade into any the partes beyond the ſea, Mercer, Draper, Goldſmyth, Iremonger, Imbroderer, or clothier, ỹ put cloth to making & ſale, to take an Apprentice or ſeruant, to be inſtructed in any of the artes, occupations, craftes, or miſteries which any of them do vſe (except ſuch ſeruant or apprentice be his ſonne,) or els that the father or mother of ſuch apprentice or ſeruant, ſhal haue at the time of the taking of him, landes, tenementes or other hereditaments, of the clere yerely value of xl. s. of eſtate of inheritance or freehold at the leaſt, to be certified vnder the handes & ſeales of three Juſtices of the peace of the ſhire or ſhires where the ſaid landes, tenementes, or other hereditaments doe lie, to the Maior, Bailife, or head officer, of ſuch Citie, or Towne corporat, and to be inrolled amonge the recordes there. But if any ſuch Merchant, Mercer, Draper, or other of the Artificers

ſuppoſed

...ſaid, doe dwell in a Market Towne not incorporat, then the ... or mother of an apprentice by him taken, muſt haue lands ... the value of iii. pound &c. to be certified by three Juſtices, and ...led as is aforeſaid. 5. El. 4.

¶ It is lawfull for euery perſon being an houſholder, & xxtiii. yeres old at the leaſt, & not occupying huſbandry, nor being a labo- dwelling in any market towne not being incorporat, ſo longe ... ſame ſhalbe weekely vſed as a market towne, & vſing any ...ſterie, or manuel occupation, during the time of his abode ..., & ſo vſing ſuch art &c. to haue in like maner to apprentice the ... chyldren of any other artificer or artificers, not occupying ...dry, nor being a laborer inhabiting in the ſame, or in any ... ſuch market towne wᵗin the ſame ſhire, to ſerue as apprẽtice ... ſuch art &c. as hath ben vſually exerciſed in any ſuch market ..., where ſuch apprentice ſhalbe bound, in maner & forme a- ...ſaid. And the inhabitãts of Godalming in ẏ county of Surrey ... the limits of the watch of the ſame towne, may vſe ſuch oc- ...cions, & take and vſe apprentices & ſeruãts, as the foreſaid in- ...itants within market Townes may do. 5. El. 4.

What prentices inhabitants in market townes may take.

Godalming.

¶ It is lawful to any perſon, vſing ẏ occupation of a Smith, ...elwright, Ploughwright, Milwright, Carpẽter, Roughma- ...Plaſterer, Sawyer, Lymeburner, Buckemaker, Bricklaier, ..., Slater, Helyer, Tylemaker, Lynnen weauer, Turner, ...per, Piller, Earthen potter, Wollen weauer, weauing huſ- ..., or houſhold cloth only, & none other cloth, Fuller otherwiſe ...Tucker or walker, Burner of Oze & woad aſhes, Thatcher, ...angler, wherſoeuer he or they ſhal dwel, to haue or receiue ẏ ... of any perſon as apprentice in maner & fourme aboueſaid, ...inſtructed in theſe occupations onely & in none other, albeit ẏ ... or mother of any ſuch apprentice haue not any landes, te- ...ntes, or hereditaments. 5. El. 4.

Pꝛentices whoſe parents may diſpend no landes.

¶ It is not lawfull for any perſon, other then ſuch as (at ẏ ...ſy making of the ſtatut being 12. Januar, An. Do. 1562) ...ercile any art, miſterie, or manuel occupation, to ſet vp, or ex- ... any craft, miſterie, or occupation, now vſed wᵗin Englãd or ..., (except he ſhal haue ben brought vp therein vij. yeares at ...aſt, as Apprentice in fourme aforeſaid) nor to ſett any perſon ...ge in ſuch miſterie or occupation, being not a workeman ...ſaid 12. Januarij, (except he ſhal haue ben apprẽtice as is a- ...) or els hauing ſerued as an apprẽtice, will become a Jour- ..., inforced by ẏ yere, vpon paine ẏ euery perſon willingly ... the contrary, ſhall forfait for euery default xl. s. for euery

None ſhal occupie any craft, but which hath bene apprẽtice.

moneth. 5. El. 4.

Wollē weauerz apprentice.

21 ¶No person vsing the misterie of wollen cloth weaver, (other then such as be inhabiting within the counties of Cumberland, Westmerland, Lancaster and Wales, weauing frizes, cottons, or housewifes cloth onely) making & weauing wollen cloth commonly to be solde by any Clothier, shal take any Apprentice, or shall in any wise instruct any person in the occupation of weauing aforesaid, in any village, towne, or place (Cities, townes corporate, & market Townes only excepted) vnles such person be sonne, or els that ẏ father or mother of such apprentice or servant shal at ẏ time of taking of such person to be an apprentice servant or to be instructed, haue lands or other hereditaments, to the yerely value of iij. li. at the least, of one estate of inheritāce, or hold, to be certified vnder the handes & seales of three Justices of peace of the shire or shires, where the said landes &c. doe ly, the effect of the Indenture to be Registred within three monethes in Parish where such maister shal dwell, & to pay for such Registring iiij. s. vpon paine of forfaiture of xx. s. for euery moneth, that any person shal otherwise take any Apprentice, or sett any such person worke, contrarie to the meaning of this Article. 5. El. 4.

For iij. apprentices, there shal be kept one Journeman.

22 ¶Euery person that hath three Apprentices in any of the said occupations of a Clothmaker, Fuller, Shearman, Weauer, Taylor, or Shomaker, shall retaine and kepe one Journeman for euery other apprentice aboue the number of the said three, other Journemā, vpon payn to forf. for euery default therein. But this act shal not prēiudice or hinder ẏ liberties graūted by of Parliament in force to ẏ Company of worsted makers, & weauers in the City of Norwich, & ẏ Coūty of Northfolke. 5. El.

Worstedmakers.

Apprentices bound within age.

23 ¶Euery person that shalbe bounden by Indenture to serue as an apprentice in any art, science, occupation or labor, according to this Statut, and in fourme aforesaid, albeit the same apprentice shalbe within ẏ age of xxi. yeres at the time of making of his Indentures, shalbe bound to serue for the yeares in the Indentures contained, as largely to euery intent as if he were of full age at time of the making of such Indentures. But no person by force of this Statut be bound to enter into any apprētiship, then such as be vnder the age of xxi. yeares. 5. El. 4.

The remedy where one required to be bound prētice doth refuse.

24 ¶If any person shalbe required by any housholder, and vsing halfe a plough land at the least in tillage, to be apprentice, and to serue in husbandrie, or in any other kind of Misterie, or Science before expressed, and shal refuse so to do, vpon ẏ complaint of such housekeper made to one Justice of

the Countie wherein such refusall shalbe made, or of such house-holder inhabitinge in any Citie, Towne corporate, or Market Towne, to the Maior, Bailife, or head Officer of the said Citye if any such refusall shall there be, they haue full authoritie to binde for the same person so refusing. And if the said Justice, or the said Maior, or head Officer shal thinke the said person meete to serue as an apprentice in that art &c. wherein he shalbe so then required to serue, then he hath authoritie, if the said person refuse to be bound as an apprentice, to commit him vnto ward, there to remayne vntill hee will be bound to serue as an apprentice should seme, according to the true meaning of this act. 5. El. 4.

The remedy for a prētice which is misused by his Master.

25 ¶If any such Master shall misuse or euill intreate his apprentice, or the said apprentice shall haue any iust cause to complaine, or if the apprentice doe not his duetie to his Master. Then the said master or apprentice hauing cause to complaine, shall resort vnto one Justice of peace within the said Countie, or to the Maior or other head Officer of the Citie, Towne corporate, Market Towne, or other place where the said Master dwelleth, who shall take such order betwene the said Master and his apprentice, as the equitie of the cause shall require. And if for want of good conformitie in the said master, the sayd Justice, Maior, or head Officer cannot agree the matter betwene hym and his apprentice, then the said Justice, Maior or head Officer, shal take bonde of the said Master to appeare at the next Sessions to be holden in the sayd Countie, or within the sayd Citie, Towne corporate, Market Towne, to be before the Justices of the said County, the Maior, or head Officer of the sayd Towne corporate, or Market Towne, if the sayd Master dwell within any such, and then hys apperaunce and hearing of the matter before the sayd Justices, or the saydc Maior, or other head Officer, if it bee thought méete vnto them to discharge the sayd Apprentice of his apprenticehode, then the sayd Justices, or fower of them at the least, whereof one to be of the Quorum, or the said Maior or other head Officer, with the consent of three other of hys brethren, or men of best reputation within ỳ said Citie, towne corporate or market towne, haue power in writing vnder their hands and seales, to declare that they haue discharged the said Apprentice of his apprenticehode, and the cause thereof, and the sayed writing so being made and inrolled by the Clerke of the peace, or the Towne Clerke, amongest ỳ Records that he keepeth, shall be sufficient discharge for the said Apprentice against hys Master, his executours and administrators, the Indenture of the

said apprenticehood, or any law or custome to the contrarie notwithstanding. And if the default shalbe found to be in the apprentice, then the said Justices or the said Maior or other head Officer with ỳ assistents aforesaid, shal cause such due correction to be minister vnto him, as by their discretion shalbe thought meete. 5. El. 4.

If there be fault in the prentice.

Taking of apprentices contrary to this statute.

26 ¶ All indentures, couenants, promises, and bargaynes, the hauing, takinge, or keeping of any apprentice, otherwise then made or taken, then is by this statut ordeyned, shalbe clerely void in the law to all intents, and euery person that shall take or wilfully retaine any Apprentice contrarie to the true meaning of this act, shal forf. for euery apprẽtice so taken x. li. ỳ one halfe of which forfaiture, & of al forfaitures & penalties expressed & mencioned in this statut, other thẽ such as are expresly otherwise appointed to be to ỳ Quẽnes heirs & successors, & the other moity to him or them ỳ shal sue for the same in any of the Quẽnes courts of record, before any of the Justices of Oier & terminer, or before any of the Justices, or Presicent & Councel before remembred, by Action of Iniury, Bil or other wise, wherein no Wager of Law, Protection, Essoyne, &c. 5. El. 4. Who in this case shal haue the forf. in corporate townes. S. Corporations.

In what maner al penalties forfaited by this statut shalbe imployed.

London. Norwich.

27 ¶ This act shall not be preiudiciall to the Cities of London and Norwiche, or to the lawfull liberties, customes, or priuiledges of the same, cõcerning the hauing or taking of any apprentices, but the Citizens & freemen of the same Cities, shall & may take and reteine apprentices there, in such maner as they may lawfully haue done before &c. 5. El. 4.

Seruants departing into another shire.

28 ¶ If any seruant or apprentice of husbandry, or of any other science or occupation aforesaid, vnlawfully depart or flie into any other shire, it shalbe lawful to the said Justices of peace, and to the said Maiors, Bailifes, and other head officers of Cities & townes corporat, being Justices of peace there, to make and graunt writs of Capias, so many, and such as shalbe needefull, to be directed to the Shirifes of the counties, or to other head Officers of ỳ place whither such seruants or apprentices shal so departe, to take their bodies, returnable before them at what time shall please them, so that if they come by such proces, they shalbe putt in prison till they shall finde sufficient suertie, well and honestly to serue their maisters, mistresses, or dames, from whom they so departed, according to the order of the law. 5. El. 4.

Statut sessions

29 ¶ But it is lawfull to the high Constable of hundred in euery Shire to holde, keepe, & continue petit Sessions, otherwise called statut Sessions, within the limitts of their auctority in all shires wherein such sessions haue bene vsed to be kept, in

ma

maner, as heretofore hath beene vsed, so as nothing be by them done therein contrary or repugnant to this act. 5. El. 4.

30 ¶It shalbe lawfull to euery owner of Shippes or vessells, & to euery houlsholder vsing ẏ trade of the seas by fishing or otherwise, and to euery Gunner commonly called a Cannoner, and to euery Shipwright, to take & keepe one or more Apprentice or Apprentices to be brought vp in the said trades, euerie of the same apprentices to be to them bound for .7. yeres or vnder. And euerie Apprentice so taken being aboue seuen yeres of age, shal be by the same couenantes bound ordered, & vsed to al intents according to ẏ custome of the Citie of London, so ẏ the same couenaunt or bond of apprentishyp bee made by writtinge indented & inrolled in the Towne where ẏ same Apprentice shalbe then inhabiting if it bee a Towne corporat, & if the towne be not incorporat, then to be inrolled in ẏ nert towne corporat to the habitation of euery such Apprentice. And the officers of euerie such towne corporat shal take for euerie such inrollment not aboue rij. d. 5. El. 5.

Owners of shipps, Gunners, & shipwrights, may take prentices.

31 ¶If any Beggers Childe being aboue ẏ age of fiue yeres vnder viij. yeres, being male or femal shalbe liked of by any subiect of this Realme of honest calling, who shalbe willing to take ẏ said child into seruice, the said subiect shal at the next generall sessions to be holden for the said Coũtie, by order of the Justices there, or the most part of them, haue the said childe bound with him (if it be a man Childe,) til the age of xxiij. yeres, if it be a womã childe, til the age of xviij. yeres. And if the childe do after depart or be taken, or be inticed from ẏ said Master or mystres, the Master, or mystres, to haue their remedie by order of the Stat. of labourers as for their seruant, either by way of Accion, or otherwise, as wel against the Childe, as against the taker or inticer thereof. 14. El. 5 & 8. Eliz. 3.

A beggers child taken apprẽtice.

32 ¶Euerie craftes man of the mysterie and occupation of Fusters making dwelling within any of the Townes of Linne or great Yarmouth, in the countie of Norfolke and suburbes of the same, may haue and take apprentice or Apprentices (being male) of the age of xviij. yeres and vpwarde, and being ẏ Quenes naturall subiectes, for the terme of vij. yeares and not vnder, so that none of them exceede the number of two at once, to learne, vse and exercise the sayed crafte within either of the said townes or suburbes of the same, albeit ẏ Father of the same Apprentyce be not worth in landes and tenementes to the yearlye value of twenty shillinges, Any act or ordynaunce to the contrarye notwithstãding. 14. H. 8. 3. 26. H. 8. 16. 5. El. 4.

Inhabitants in Linne and yarmouth.

1 For conſpiracies made by artificers or laborers for the order of their vvorkes. S. Artificers. 1.

2 VVhere the Maſter ſhal put avvay his ſeruant for vvearing of ſilke. S. Apparel, 18.

3 That none ſhal vvorke hattes vvith forreigne vvooll, but vvhich hath beene apprentice. S. Hattes. 3.

4 Hovve many apprentices a Hatter may take, and for vvhat time. S. Hattes. 6.

5 That none ſhal be a VVeauer but which hath ben apprentice S. Draperie. 76.

6 For the aucthoritie and duitie of Iuſtices of peace, Maior, &c. cõcerning the executing of the ſtat. of Laborers. S. Iuſtice of peace. 66, 67, 68. Corporations. 19.

¶ Lancaſter.

WHat landes euery Iuror ought to diſpend which ſhal indict in a forrein Countie any perſon dvvelling in the Countie of Lancaſter, & econuerſo. S. Iurors. 17. 18.

2 For fines leuied before the Iuſtices of aſſiſe at Lancaſter, of lands within the Countie of Lancaſter. S. Fines. 12.

3 That a Tales de circũſtantib⁹ is grantable in the coũty of Lancaſter vvhere a ful Iurie doth not appeare. S. Iurors. 2 & 23.

4 For Exigẽts awarded againſt any perſõ dwelling in the coũtie of Lancaſter. S. Exigents. 6. 10. Liueries. 5.

5 For cõmiſſions of Sevvers to be granted vvithin the fees of the Duchie of Lancaſter. S. Sevvers. 17. 19.

6 Hovve offices found in the Countie of Lãcaſter, ſhalbe reuued, & that they ſhalbe certified into the Court of VVardes. Offices. 7.

¶ Lapſe

No lapſe but after notice.

NO title to conferre, or preſẽt by Lapſe ſhal accrue vpõ any deprivatiõ Ipſo facto, but after ſixe monethes after notice of the deprivation giuen by ỳ Ordinarie to the Patrone, 13. El. 12. S. Eccle. 1. 2. 3. 4. 5. & Quere whither notice muſt be giuen vpon euerie depriuation, or vpon depriuation only vpon this Statut.

No lapſe againſt the Queene.

2 ¶ If any do preſẽt to a Church being voide, ỳ aduerſon ſuite of is the Quẽenes ſo that ſuite is commenced betwixt ỳ Quẽ the other, if the Quẽene by iudgement of the court do recou preſentation, though it be after the Lapſe of ſixe monethes the tyme of auoidaunce, no time ſhal preiudice her grace ſo ſhe preſent within the tyme of vi, monethes. Prerogatiua Reg.

17.

17.Ed.2.8.

3 ¶When any Ordinarie hath giuen a benefice, which came rightfully to hym by lapse, and after the Queene presenteth, and commenceth her suyt agaynst the Patron, in this and al such lyke cases where the Quenes tytle is not tryed, the Ordinarye or possessour shalbe receyued to counterpleade the tytle made by the Queene, and to haue hys answere, shewe and defende hys right, though hee claime nothinge in the patronage. 25.Ed. 3.7.pro Clero.

The Ordinarie may counterpleade the Quenes title for a benefice fallen by lapse.

¶Leases.

ALl leases made of any manors lãds, tenements, or other hereditamẽts, by writing indented vnder seale, for terme of yeres, or for terme of life, by any person or personnes being of ful age of xxi. yeares hauing any estate of inheritaunce, either in fee simple, or in fee taile, in their owne right, or in the right of their Churches, or wiues, or iointly with their wiues, of any estate of inheritaunce made before the couerture or after, bee good and effectuall in the lawe agaynst the lessours, their wiues, heires and successours, and euerie of them according to such estate as is compriſed in euerie such indenture of lease, in like manner as the same should haue bene, if the lessors thereof and euerie of them at ỹ time of ỹ making of such leases had ben lawfully seised of the same lãds comprised in the said indẽture, of a good and perfect estate in fee simple to their owne only vses. But this act doth not giue any liberty to any person to take any more farmes, leases or takings of any lands &c. then he should or lawfully might haue done before ỹ making of this act. 32.H.8.28.

Leases by tenãt in taile or of the wiues landes.

2 ¶This act doth not extend to any leases made of any manors, lands &c. being in the handes of any farmer or farmers by vertue of any olde lease, vnlesse ỹ same olde lease be expired, surrendred, or ended, within one yere next after ỹ making of ỹ said newe lease, nor to any graunt made of any reuersion of any manors, lãds &c. nor to any lease of any manors, lands &c. which haue not most commonly ben letten to farme, or occupied by ỹ farmers therof by the space of twentie yeares next before such lease therof made, nor to any lease made wout impeachement of waste, nor to any lease vnder aboue ỹ number of iii. yeres or three liues at the most from the time of ỹ making therof, & vpon euerie such lease there shalbe reserued yearly during the same lease due and paiable to the lessors, their heires and successours to whom the same landes should haue come

Spetial obseruatiõ of leases to be made by tenant in taile, or of the wiues landes.

come after the deathe of the lessours, if no lease thereof had bene made, and to whome the reuersion thereof shal apperteine according to their estates and interestes, so much yearely farme or rent or more, as hath bene most accustomably payed for the manours, landes, &c. so letten within .xx. yeres next before such lease therof made. And euerie person to whome the reuersion of such manors, landes &c. so letten shal apperteine after the death of such lessors, or their heirs, shal & may haue such like remedy & aduantage, to al intents, against the lessees, their executors & assignes, as the same lessours might haue had, so that if ỳ lessor were seised of any especial estate taile of the same hereditaments at ỳ time of such lease, ỳ issue of heire of ỳ especial estate shal haue ỳ reuersion, rents, and seruices reserued vppō such lease after the deathe of the said lessor, as ỳ lessor him selfe might or ought to haue had, if he had liued. 32. H. 8. 28.

The wife shalbe partie to euerie lease made of her land.

3 ¶ The wife shalbe made partie to euerie lease made by her husband, of any manors, landes &c. being the inheritāce of ỳ wife, and euerie such lease shalbe made by indenture in the name of the husbande and his wife, and she shal seale the same, and the farme & rent shalbe reserued to the husband and to the wife, & to the heires of the wife, according to her estate of inheritance in ỳ same, and ỳ husband shal not alien, discharge, graunt, or giue away the sāe rent reserued, nor any part thereof longer then during the coverture, without it be by fine leuied by the husband & wife, but the sāe rent shal remaine, discend, reuert, or come after the deathe of such husbande vnto such persōnes and their heires, in such sorte as the landes so leased should haue done, if no such lease had thereof been made. 32. H. 8. 28.

1 For the validitie and strength of al leases made by any Abbotes, Priors, Nunnes, Maisters of Colledges, Chaunteries &c. before their seūal dissolutions &c. S. Monasteries. 4. 9. 11. 12. 26.

2 VVhat leases or other actes made by the husband only, or by the husband & vvife of landes of the vvife, shal binde her or her heires. S. VVomen. 5.

3 VVhat leases or other assurances may be made by any Bishoppes of their landes. S. Eccle. 6.

4 VVhat leases or other assurāces may be made by any Maister & fellovves, Deane & Chapter, Parson, Vicar, or other hauing spiritual liuinges. S. Eccle. 7. 8.

5 Hovve long leases of benefices vvith cure shal indure. S. Eccle. persons 9. 10. 11.

6 In vvhat cases any spiritual person may take by lease any landes,

landes, perſonage or Vicarage, and in vvhat not. S. Eccleſiaſtical perſons 14. 16.

7 For leaſes made by tenát in taile of lands, vvhereof the reuerſion is in the Queene. S. Recoueries. 4.

8 That leſſee for yeares may falſifie a recoũie had againſt him in the reuerſion. S. Recoueries. 8.

9 VVhat remedie the recouerors haue againſt the tenant for terme of yeares of landes recouered for rent due, or vvaſte committed. S. Recouerie. 8.

10 That leſſees shal haue the ſãe aduãtage againſt the grãtees in reuerſion, that they might haue had againſt the grauntours. S. Condition. 2.

11 VVhere leſſees for life or yeres, ar compellable to make partition. S. Partition. 4.

¶ Leetes, Liberties, Lavvdaies, and ſtevvardes thereof.

Of what things ſtewardes in leetes ſhal inquire.

Stewardes in their Lætes ſhal enquire by the othes of the Jurors, if al the chiefe pledges or headboroughes, or their doſens which owe ſuite to the Court, be come.

And alſo if al the Jurors which owe ſuit to the Court be come, and who be not.

And if there bee any of the Lordes villains which haue fled away, & do cõtinue in any other place, ſauĩg in ỹ Quẽenes demeanz, and if they haue continued in the ſame demeanes by the ſpace of a yere and a day, & if any of the ſaid villainz be in any other lẽte ſauge in this.

And of Cuſtomes & ſeruices due to this Court wõrawen, how, by whome, & in what Bailiffes time.

And of Purpreſtures made in any land, woode, or water to annoiaunce.

And of walles, houſez, hedgez, ditches, made vp, or brokẽ downe to annoyance.

And of boundes pulled vp & carried away.

And of waies and pathes ſtreightened or ſtopped.

And of waters ſtopped, or turned, or lead out of the right courſe.

And of breakers of houſes, and comom thẽues, and of their receiuers.

And of thoſe which commit petit larcenie in ſtealing of hennez, geeſe, or theſes of corne.

And of thẽues which ſteale clothes thorough windowes and walles.

And of thoſe which goe in the meſſage of thẽues.

And

And of huies and cries leuied and not purſued.

And of the eſcape of any felon.

And of outlawes which returne without the Queenes warrãt.

And of bloudſhed, and affraies committed.

And of the rauiſhment of any woman which was not preſented before the Coroner.

And of clippers and forgers of mony.

And of treaſure found.

And of ſellers of clothe, & curriers of leather dwellinge out of market Townes.

And of the aſſiſe of Bread and Ale broken.

And of falſe meaſures, falſe balances and weightes, & of thoſe which haue double meaſure, and buy by ỹ greater and ſell by ỹ leſſer.

And of thoſe which do continually haunt Tauernes.

And of thoſe which do ſleepe by day & watch by night, and liue wel, & no man knoweth whereof they liue.

And of thoſe which take doues in Winter by any engines.

And of any perſõ impriſoned which is after let goe wout warrant.

And of thoſe which doe flie into any Churche or Churcheyard and after departe without doynge that which they ought to do. 18. Ed. 2.

Leather, Cordwainers. 2 ¶ Stewardes of leetes ſhal enquire, heare, and determine in their leetes al offences committed within their iuriſdiction contrarie to the ſtatut prouided. 5. Elizabeth touchinge Tanners, Curriers, Shoemakers, and other artificers occupyinge cutting of leather, and alſo ſhal by their diſcretions examine perſons ſuſpected to offende the ſaid act, or any parcel therof. 5. 8. S. Leather.

Attachement in the marches. 3 ¶ Stewardes of leetes in their leetes, haue power to enquire of al attachements made by the officers of the courts of ỹ East marches, or Weſt marches, out of any of the Counties of Weſtmerland, Cumberlande, or Northumberlande, or the Towne of Newe Caſtel vpon Tine, & therin to procéde, as they may by preſentmẽts taken before thẽ in their leetes, of treſpas or affraies made againſt the Quéenes peace. 31. H. 6. 3. S. Marches.

Apparel. 4 ¶ Stewardes in leetes and lawedaies ſhal & may enquire heare & determine al offences cõmitted within the limits of their iuriſdictions, contrarie to the ſtat. prouided. 1. & 2. H. & M. for reformation of exceſſe in apparel, and where any forfeiture ſhal foũde wõn the precinct of any leete or lawday, thẽ ỹ owner

same léete &c. shal haue ỹ one halfe, & he that wil sue in any courte shal recorde the other, And euerie Stewarde of léete &c. hath authoritie vpon the conuiction of euerie such offender to awarde proces vnto the Shiriffe of any shire for the apprehension of any such offender, which being apprehended shalbe committed to the Gaole &c. 1. & 2. P. & M. 2. S. Apparel. 17. 18.

5 ¶Stewardes in their léetes and lawdayes, may enquire of offences, & forfeitures committed contrarie to ỹ statut prouided 24. H. 8. for the reformation of excesse in apparel, & to assesse fines vpon the offenders according to the said statut. 24. H. 8. 13. S. Apparel. 1. &c. Apparel.

6 ¶The Lorde of euerie léete hath authoritie to inquire of all offences committed contrarie to the purport and forme of ỹ statut prouided. (1. El. for the preseruation of Spawne and Frie of fish) within the precinct of the said léete, such enquirie to be had manner and sort as common amerciaments, or other things enquirable in leetes haue bene lawfully vsed to be made, and vppon euerie such presentment had in any léete or courte by the othe of twelue men, of any offence made contrarie to the said statute, all forfeitures appoynted for such offence shalbe vnto the Lorde of ỹ léete, and shalbe leuied as amerciaments for affrayes committed within the precinct of such léete haue bene vsed to be leuied, if the steward of a léete, or some other for him do not charge ỹ Jurie sworne in euery léete to enquire of al offences done within ỹ precinct of the same léete, concerning the killing of spawne or frie of fish, Kepper, or Shedder, Salmõs, or Trouts Pickrel, Salmõ, Samlet, or Barbel, being not of lawful length, and cõcerning the vse of nets, and other engins, he shal forfeit for euery offẽce forty shillings to the Quéene and him that wil sue for the same. And if any Jurie sworne in a léete hauing charg to enquire of ỹ premisses willingly conceale and make default in presentment of the offences & offendors, then ỹ Steward or bailiffe or their deputie may impanel an other Jurie vpõ ỹ same léete, to enquire of such cõcealment, which being found, euery of the Jurors so concealing, shall forfeit 5. s. to the Lorde of the léete for euery offence. 1. El. 17. 14. 11. S. Fishe. 3. 4. Destroyinge of Spawne.

¶The Lord of a Court, Léete, Lawday, or rape where any Crowe nette net shal be lacking, or not put in execution, shal haue ỹ moity which shalbe forfeited by ỹ parish, township, hamlet, borough, or village where ỹ default shalbe. 24. H. 8. 10. 8. El. 15.

¶Stewardes of franchises, léetes & lawdates haue power to Artilerie inquire of al and euery braunch of the statut prouided. 33. H. 8. for

for the maintenance of artillerie, of buttes, & of the making & selling of bowes, in their leetes & lawdaies, and to heare & determine ỹ sãe. And also by their discretiõ to examine al persõs meaning bowes, shaftes, & arrowes according to ỹ said stat. 33. H. 8. S. Archerie. And where any forfeiture giuen by the sayd stat. shal be found in any léete, ỹ lorde of the same leete shall haue ỹ moitie thereof. S. Playes. 7.

Vitaillers Artificers.

9 ¶ Stewardes of léetes at their léetes haue auctoritie to enquire, heare, and determine al and singuler offences cõmitted by vitaillers, artificers, workmen, and laborers, against ỹ stat. for ỹ prouided. 2. Ed. 6. and to punishe the offendors according to ỹ tenor of the same stat. 2. Ed. 6. 15. S. Artificers. 1.

Musters.

10 ¶ Stewards of léetes, liberties, & lawdaies, at their léetes and lawdayes shal and may from time to time, enquire, heare, & determine euery of the offences committed contrarie to the act prouided 4. & 5. P. & M. for the taking of Musters within the precinct of their léete, or libertie. 4. & 5. P. & M. 3. S. Captaines 12. 13. 14.

Crossebowes. Handgunnes.

11 ¶ It is lawful to al stewardes and bayliffes in their leetes léetes & lawdayes to enquire, heare, and determine euery offence committed contrarie to the tenor of the stat. made 33. H. 8. concerning Crossebowes, and Handgunnes, so that alwayes no lesse fine then x. li. be assessed vpon euery such presentmẽt and cõuiction the one motty of euery such fine to be leuied to the vse of ỹ Quéene and the halfe of the other moitie to the owner of the léete or lawday, by distresse, or A. of debt, and the other halfe of the said moitie to be to the partie that wil pursue for the same in any of the Quéenes courts by A. I. wherin no w. E. P. &c. And if any Iurie sworne and charged to enquire for the Quéene, of any offences committed contrarie to the sayd statut, doe wilfully conceale any of the sayd offences, then the stewardes or bayliffes before whome such concealment shalbe had, haue auctoritie to charge & sweare another iurie of twelue or moe, to enquire of such concealment, and if such concealment be founde and presented by the sayd Iurie, that euerye of the first Iurie shal forf. for euery such concealment al euery offence xx. s. the one moytie to be leuied to the owner of the léete or lawday by distresse, or A. of debt, and the other to the I. be recouered by A. I. &c. wherein no. W. E. P. &c. But if the presentment or suit for any of the said forf. be not commenced within one halfe yeare next after the offence committed, then the same dor shalbe thereof clearely discharged. 33. H. 8. 6. S. Gunnes.

12 ¶ Stewardes in their leetes & lawdayes shal, & may

quire, heare, and determine euery of the offences committed contrary to the statute prouided. 13. El. for the wearinge of Cappes, within the limittes of their auctoritie, and where any forfeiture shalbee found within the precinct therof, the owners of the sayed leetes or lawdayes shal haue the one moitie, and the other shalbe distributed among the poore inhabiting within ỹ same. 13. El. 19. S. Hattes. 1. 2.

Highwayes.

13 ¶ The Steward of euery leete or lawday hath auctoritie to enquire by the othes of the suitors, of all offences committed within the leete or lawday agaynst euery poynt and article of the statute prouided 2. & 3. P. & M. for the amending of highwayes, & to assesse such reasonable fines & amerciamentes for the same, as shalbe thought meete by the saide steward, and the steward shall make estretes indented of all the fines, forf. and amerciamentes for the defaultes presented before him, & shall deliuer the one part therof sealed and signed by him to the Bayliffe or high Constable of euery hundred, rape, lathe, or wapentake wherein the defaults shal be presented, and the other to the Constable & Churchwardens of the parish wherein the defaults were made, to be deliuered yerely within vi. weekes next after the feast of Saint Michael the Archãgel. 2. & 3. P. & M. 8. 5. El. 13. And the sayd Stewardes in their leetes & lawdayes shal heare and determine euerie offence, matter, and cause, that shall growe or arise by reason of the statute prouided. 18. El. for the amending of highwayes. (8. El. 9. S. Highwayes.)

Breede of horses.

14 ¶ All Stewards of leetes and lawdayes in the same leetes and lawdayes haue auctoritie to enquire of al defaults, contẽpts, transgressions and offences contrary to the effect of the stat. prouided. 2. H. 8. concerning the breede of horses of higher statures, and all presentments therof found shalbe certified by the steward, deputy, steward, or courtholder of the same leete or lawday in ỹ next generall sessions of ỹ peace to be holden in the countie where such presentment shalbe found, or vnto the Custos Rotulorum of the same shire, within xl. dayes after that presentment made. And if any such steward, deputie, or courtholder, imbesile or conceale any such presentmẽt, or do not certifie ỹ same as is aforesayd, he shall forfeit for euery offence xl. s. to the Q. & J. that wil sue for the same before the Justices of peace in their quarter sessions by A. J. &c. and the forf. of xl. s. for putting to pasture any horse, gelding, or mare, infected with scab or mange, vpon any forest, chases, maries, waste grounds, or cõmon fields, shalbe to ỹ lord of the leete, where the offences shalbe presented. 32. H. 8. 13. S. Horses. 3.

4. 5. 6. 7. 8. 9.

Horsebread. 15 ¶ Stewards in their leetes and lawdaies haue authoritie to enquire and determine euery default and offence of hostlers making horsebread not sufficient, lawfull, & of due assise, according to the price of Corne committed within the limittes of their iurisdiction contrary to the statute in that case prouided. 32. H. 8. 41. S. Inholders. 2.

Tracing of Hares. 16 ¶ Stewards of leetes haue authoritie to enquire of such as do trace, destroy, & kill any Hare in the snowe, with dogge, bitch, or otherwise, and after such inquisition found, the saied stewardes shal assesse vpon euery such offendor vi. s. viii. d. to be forfait to the lord of the leete. 14. H. 8. 10. S. Hunters. 2.

Wines. 17 ¶ The Steward in euery leete hath authoritie to enquire by the othes of xii. lawful men, of al offences committed contrary to the stat prouided. 7. Ed. 6. to auoyd the great prices and excesse of wines, and euery such enquirie & presentment so taken and had, shal be of such force, as if the same were taken in ỹ Kings bench, and euery of the paines, penalties, & forf. to be due by force of the sayd act, for any offence committed by any person, which shalbe found by presentment before the said Steward, by verdict of xii. men, (& no bill, plaint, action, or information thereof commenced in any of the Queenes courtes of Record) shal be equally deuided into two partes, whereof one shal be to the Queene, & the other to the poore of the towne, or place where such presentment shall be found. 7. Ed. 6. 5.

1 The statute prouided. 1. M. 12. & 1. El. 17. against vnlawful & rebellious assẽblies, shal be read at euery Leete, & lavvday, or the effect thereof declared. And so shall the statute made. 5. El. 1. for the assurance of the Queenes povver ouer all estates.

2 That the forf. of xx. s. for watering of hempe is to be recouered in a Leete. S. Hempe. 1.

3 At vvhat time of the yeare a Leete is to be holden S. Turne. 1.

¶ Lether, Tanner, Currier, Shomaker.

Gashing of hides. I F any Butcher, or other person shal gash or cut the hide of any Bull, Ore, Steere, or Cowe, whereby the same shalbe impayred, or if any Tanner offer, or put to sale any such hide so gashed or cut, he shal forf. for euery such hide xx. d. 5. El. 8.

Who may be a Tanner. 2 ¶ If any person (which at the feast of S. Michael. An. Do. 1559. had not lands, rents, profites, &c. of some estate of freehold to the cleare yerely value of xl. li. or aboue, or whose tanhouse was not at ỹ same feast, is or shalbe in a citie, borough, towne corporate or

or market towne, where searchers and sealers of leather bee vsually appointed) do tanne any lether, or take any profite thereby, he shal forfeit all the same lether, except such as at the said feast had any tanhouse and did occupie tanning of lether, and except an apprentice to a Tanner, & except such as were then, or since, or hereafter shal be taught as couenant or hyred seruant for that purpose by the space of vii. yeares in the mysterie of Tanning, or wife to a Tanner, or sonne of a Tanner which hath bene brought vp, and vsed the mysterie of tanning of lether by the space of iiij. yeres, or the sone or daughter of a Tanner, or such person who shal marry such wife, or daughter to whom a Tanner shal leaue his tanhouse and fattes. 5. El. 8.

How long the hide shal lye in lyme.

3 ¶ If any person vsing the mysterie of tanning of lether do suffer any hide to lie in the limes a longer time then the haire falleth off, or may be taken off, or shall put the same into the lymes after the haire may be taken off, he shal forfait the same hide or the value thereof. 5. El. 8.

What stuff may be imployed about tanning.

4 ¶ If a Tanner imploy any licour, stuffe or workemanshippe about the tanning of lether but onely lime, culuerdung, or Henne dung, and that in colde water onely, and woles made of colde water, and Oken barke only, without mixture of any other thing, he shal forfait the same lether or the value thereof. 5. El. 8.

No hide shalbe put in tan woles that be whot, nor shal be frosen.

5 ¶ If a Tanner put an hide or skinne in tanne woles or lycur made whot or warmed in any vessell, to be set or couered in any tanhill or otherwise, or do ouer lyme any hides in the lyme pittes, or put any hides into any tanfats or vessels before the lime be perfectly sokened, and wrought out of them, or shal lay or hang his leather wette in the frost, vntill the same bee frosen, or shall drie or parche his leather with the heate of the fire, or Summer Sunne, he shall forfait the same hide or leather or the value thereof. 5. El. 8.

Rotte hides or euil wrought.

6 ¶ If a Tanner shall tanne any hydes being putrified, rotten, or taynted by any meanes, or shall negligently worke them in the woles, or shall not renue the woles as often as neede shal require, he shall forfait the same hides, or the value thereof. 5. Eliz. 8.

How long lether shal lye in woles.

7 ¶ If a Tanner do suffer the hides for the vtter sole & clout lether to lye in the woles any lesse time then xii. moneths, and for the vpper lethers to lye lesse then ix. moneths at the least, or shall insufficiently tanne any hide, or shall tanne any Ore, Steere, or Cowe hides other wise then whole, without cutting of any belies commonly called wombes or peeces from the same (Hides for

Insufficient tanning or cutting.

clout leather to bee cutt into three or foure bendes ouerthwart the whole hide onely except) or shall put to sale any tanned hide raced by the workmanship, or otherwise, or by vsing any other thing or stuffe, or in other sort, then is here limitted, he shal forfait ỹ same, or the value thereof. 5. El. 8.

Vnwrought lether. 8 ¶ If any person put to sale, or depart with any kinde of tanned lether, red and vnwrought but sufficiently tanned & throughly dried, and put in open faire or market in the places therefore prepared, or before the same be searched and sealed, or do depart with any Ore, Steere, or Cowe hide, but onely whole without cutting any wombes or other peeces, (except clouting lether to bee cut in bendes as is aforesaid) before the same be searched and sealed, he shal forfait the hides, skinnes, or lether so sold, or the value thereof, and sixe shillings eight pence for euery hide or peece of lether, and three shillings foure pence for euery douzen of Calue skinnes. 5. El. 8.

A tanner shall not vse other occupations. 9 ¶ If a Tanner shall occupie the mysterie of a Shomaker, Currier, Butcher, or of any Artificer vsing cutting, or working of lether, he shal forfait euery hide and skinne so wrought or tanned, during the time that he shal vse the mysterie of tãning, or the value thereof. 5. El. 8.

Bul hide, horse hide. sheepe skins. 10 ¶ If a Tanner shall tanne any Bull hyde, Horse hyde, or Sheepeskinne, or put to sale, exchaunge, or depart with anie of the same being tanned, he shal forfait the same, or the value thereof. 5. El. 8.

Skins in the haire. 11 ¶ If any person shall buy, make any contract for, or bespeake any rough hide, or calues skinnes in the haire, but only such as shal tawe the same, or such as by this statute may vse the mysterie of tanning, and shal tanne the same (except salt hides for necessarie vse of shippes) he shal forfait the same hides, & skinnes so bought, or the value thereof. 5. El. 8.

Tanned lether to be conuerted into made wares. 12 ¶ If any person do buy, bespeake, or take promise to have any tanned lether, not wrought, and conuerted into made wares, but onely such as wil worke and conuert the same into made wares, he shal forfait the same lether or the value thereof, but Sadlers and Girdlers may sell their neckes and shreds of red tanned lether without incurring any forfayt. And euery artificer & other person vsing to conuert tanned lether into made wares as well straunger borne as other, may lawfully buy al kinde of tanned lether, to cõuert the same into made wares, at Leaden hall in London vpon euery Munday, the same being first duely searched, sealed, and registred as is hereafter limitted. The hide and skin

of Oxe, Steere, Bull, Cowe, Calfe, Deere, red & falow, Goates and Sheepe being tanned or tawed, and euery salt hide, is & euer hath bene reputed lether. 5. El. 8. S. 36.

13 ¶ If a Currier do currie any lether in any other persons house but onely in his owne, and that being situat in a corporat or market towne, or do currie any lether being not well tanned, or not throughly drie after his wette season (in which wet season he shal not vse any stale, vrine, or other deceiptful mixture, or meanes to corrupt the same) or do currie any lether meete for vtter sole lether, with any other stuffe then with hard tallowe, or any leather meete for ouer lether and inner soles, but onely with fresh stuffe and not salt, and both throughly licoured as much as the leather will receiue, vntill it can receiue no more, or shall burne or scalde or shaue too thinne any lether in the currying, or do not worke the same sufficiently in al pointes, he shal forfait for euery offence fyue shillings eight pence, and the value of euery such hide or skinne so marred &c. 5. El. 8. Currier.

14 ¶ If a currier shal gash or hurt any lether in shauing or by other meanes, he shal forfait to the party greeued double so much as the lether shalbe impayred thereby. All currying and dressing of lether called drie currying and frising, shal be construed to bee dressing & currying after the maner of Spannish leather, of what colour soeuer it be. 5. El. 8. Currier hurting lether. Drie currying and frising.

15 ¶ If any Currier shal exercise the feat of a Tanner, Corduyner, Shomaker, Butcher, or other artificer vsing cutting of lether, during the time that he shal occupie the mysterie of a Currier, he shal forfait fyue shillings eight pence for euery skinne that he shal currie, during the time that he shal so vse any of the mysteries aforesayd. 5. El. 8. Neyther shall any Sadler, Girdler, Cordwayner, or other artificer, dwelling in London, and the suburbes thereof which shal cut lether to make wares thereof, curry or dresse any thereof in his owne house, or by his seruants, vpon paine of forfaiture thereof to the M. & I. to be recouered by A. &c. wherein no W. E. P. &c. 5. Ed. 6. 19. Currier exercising an other trade.

16 ¶ If a Currier refuse to curry any lether to him brought for that purpose by any cutter of lether, or his seruaunt bringing with him good stuffe for the perfect licoring of the same, in the presence of the said cutter, or his seruant, if he will be present, or else in his absence, and that in al thinges well, and within fiue dayes in the Summer, and tenne dayes in the Winter, after he shal take the same in hād, he shal forfait to the P. greeued for euery peece of lether not in this maner curried and speedily dressed. x. s. 5. El. 8. Within what time lether shal be curried.

Wardes of the Curriers shal search & seale lether.

17 ¶ If the wardens of the Curriers or their assignes, do not search and seale al lether brought to any of their companie to bee curried, which shalbe sufficiently curried, within one day after currying and request, taking for euery hide after the rate of i.d. for ỹ Dicker, and for syxe douzen of Calues skinnes. i.d. of the Currier, they shal forfait for euery hide so not searched and sealed syxe shillings eight pence. 5. El. 8.

Currying of lether in Londō.

18 ¶ If any person dwelling in London, or being frée of the citie dwelling within thrée myles of the same, occupying wet curried lether in his Art, shal put any lether to be curried but to such persons as shalbe frée of the company of the Curriers in Lōdon, he shal forfeit al such lether or the value thereof. 5. El. 8.

Shomaker.

19 ¶ If a Shomaker shal make any Bootes, Buskins, Shoes, Startups, Slippers, or Pantables, or any part of thē of English lether wet curried (other thē Deares, Calues, or Goates skinnes, made or dressed like vnto Spanish lether) but of lether well tanned, & curried in forme aforesaid, or lether well tanned onely, and wel sewed with good thread, wel twisted, and sufficiently waxed, with waxe wel rosined, and the stitches hard drawne with hand lethers, without muring of Neates lether & Calues leather in the ouer leather, he shall forfait for euery paire of Shoes, Bootes &c. made, solde, or put to sale to the contrarie thrée shillings iiii.d. and the value of the same. 5. El. 8.

What lether a shomaker shal put into his ware.

20 ¶ If a Shomaker shal put into any part of Shoes, Bootes, Buskins, startups, Slippers, or Pãtables, lether made of sheepe skinne, Bull, or Horse hide, or into the vpper lether of any shoes, Startuppes, Slippers, or Pantables, or into the neather part of any bootes (the inner sole and héele of the shoe onely excepted) any part of a hide from which ỹ sole lether is cut, called ỹ womb, neck, shanke, flanke, pole, or cheéke, or into any vtter sole any other then the best of the Ore or Steére hide, or into ỹ inner sole other then the wombes, necke, pole, or cheéke, or in the treaslwelles of ỹ double soled shoes, other then the flankes of the forelayed hides, he shal forfait for euery paire &c. iii.s. iiii.d. and the value of ỹ same. 5. Eliz. 8.

No winter ware shalbe made of drie lether.

21 ¶ If a Shomaker do make betweéne the last of Septēb. and the twentith of April, any shoes, bootes, bulkins, startupps, slippers méete for any person to weare exceéding the age of [illegible] yeares, wherein shalbe any drie English lether (other then Calues or Goates skins made or dressed like vnto Spanish leather) or shal shew to the intent to sel any shoes, bootes, &c. vpon ỹ Sunday before diuine seruice in the fore noone be ended, he shal for-

Selling wares vpon the Sunday.

for euery paire made, solde, shewed, or put to sale to the contrary iij.s. iiij.d. and the value thereof. 5. El. 8.

22 ¶ The Maior and Aldermen of London shal yerely vpon paine of xl.li. (to be forfaited to the M. & J. &c.) appoint foure searchers, which being sworne shal once euery quarter of ỹ yere at the least, make true search of al wares made of tanned lether in euery house & place within the citie of London & three miles of ỹ same, where any Shomaker, Sadler, Girdler, or other artificer vsing cutting of lether doth dwel or occupie any of ỹ occupations of cutting of lether, and after search shal make true presentment in writing to the Maior & Aldermen of euery default they or any of thē shall finde in the making, selling or putting to sale of any bootes, buskins, startuppes, shoes, bridles, saddles, or other thinges, or wares made of lether contrary to the true meaning of this Act, 5 Eliz. 8. Foure serchers within Londō.

23 ¶ The Maior and Aldermen shal vpon the like paine yerely appoint other foure expert and honest personnes, which being sworne shal search euery tanned hide, skinne or lether, which shalbe brought to Leaden Hall market, or to any other faire or market within three miles of the citie, and so many as they shal finde sufficiently tanned they shall seale with a seale for that purpose prepared, which shal remayne in the custodie of one of them. 5. Elizab. 8. Sealers of lether.

24 ¶ If any person bring to his house in London any red tanned lether, be it solde before or not, before he bring ỹ same to Leaden hall to be viewed whether it hath bene searched or sealed, & to be registred by the searchers with halfe ỹ fees hereafter expressed therefore to be payd, he shal forfait for euery hide. vi.s. viij.d. to ỹ M. & J. to be recouered by A. J. &c. wherein no W. E. P. &c. But this article extēdeth not to lether brought to Bartholomew faire, Southwarke market, searched, sealed & registred according to this act. 5. El. 8. Lether broght to Leaden hall. Bartholomew faire, Southwarke.

25 ¶ Al Maiors, baillifs, & other head officers of cities, boroughs and market townes, and all lordes of liberties, faires, & markets shal vpon paine of xl.li. (likewise to be leuied & imploied) appoynt sweare yearely two, three, or more honest & skilful men to search & view wtin their offices or liberties, which shal as often as nede shal be, or they thinke good, make like search wtin their limits, and shal haue a seal or mark for ỹ purpose, which one of thē shal kepe, & wherwith shal seale or marke such leather as they find sufficiēt & no more. And if they or any of thē find any lether sold or offered to be sold or broght to be serched or marked insufficiētly tāned or curried Searchers in townes, liberties, faires.

or any Bootes, Shoes or other thing made of tāned or curried leather insufficiently tanned, curried, or wrought contrary to this statute, it shalbe lawfull for them to seise the same as forfait, & to retaine the same in their custodie, vntil it be tried by fire expert men appointed by such Mayor, Baylife &c. within whose libertie such seysure shalbe, & that trial to be made within fifteene daies after such seisure vpon the othes of the tryers. And the said sealers and searchers shal within the limitts of their searches kéepe a booke or register, & vpon request to them made by the buyer or seller, shall register al such bargaines as shalbe made for leather, hydes and skinnes, & the names & dwelling places of al such persons which shal buy & sell any leather, hydes or skinnes during the time of the faire or market with the prices, vpon paine of forf. of iii.s. iiii.d. for not registring of euery Dycker of Leather, and iii.s. iiii.d. for euery dozen of Calueskinnes, & so after the rate. And the said searchers and sealers shal take for their paines, for sealing of Leather, cutting of ỳ wombes, & registring therof, of the seller of euery dicker of leather so entered. ii. pēce. And for euery vi. dozen of Calueskinnes. ii.d. and of the buyer after the same rate, & no more vpon the paine aforesaid. But this act is not preiudicial to the Chancelors, vicechancelors, taxors, and scholers of the vniuersities of Oxford & Cambridge, concerning the authoritie of search of tāned lether, or any ỳ forfaitures for ỳ same, which they lawfully had before ỳ making of this act, so as they obserue such order in al things about searching, sealing, & registring of lether, as by this act is appointed, vpon the paines contayned in the same. 5. El. 8.

Oxford. Cambridge.

If the Sercher do not his duitie.

26 ¶ If any searcher so appointed, shal not do his duitie, as in refusing to seale good lether, making default in search, in allowing that which is sufficient, or in concealing of faultes, ỳ Maior, Baylike, lord of faires, & other persons which shal appoint searchers & sealers, shal forf. for euery offence xl.s. to the K. & I. to be recouered by A. I. &c. wherein no Wl. &c. E. Pl. &c. 5. El. 8.

Denying of searche.

27 ¶ If any person wil denie the searchers appointed, to enter into his house, or other place to viewe & search al tanned lether and wrought ware, and to seise and carry away all such as they shall finde insufficiently tanned, curried, or wrought of euill stuffe, he shal forf. v.li. to the K. & I. to be recouered by A. I. &c. wherein no Wl. &c. E. Pl. &c. 5. El. 8.

Cutting of wombes.

28 ¶ If ỳ searchers or sealers do not after tāning, & before carrying of any lether brought to be searched & sealed, cutt of so much of ỳ hide truely tanned, to be sold to a Shomaker, Cordwainer or Cobler, into wombes, as they shal by their othes thinke conuenient to make

to make vtter sole leather of ỳ said Shomaker &c. shal forf. for euery hide not cutt iij.s.iiij.d. & ỳ searchers as much for euery dicker of leather not so cut. And if a Shoemaker &c. do carrie any More or other hide tanned, whereof any sole leather shalbe cut, out of any faire or market whole before ỳ wombes be cutt of, he shall forfayt euery such hide, or ỳ value, & vi.s.viij.d. to the M. & J. to be rec. by L.J. &c. wherein no W. &c. E. P. &c. But no person to whom such vnlawfull leather or stuffe shalbe geeuin by this act, shall geue or sell the same to any person that shall sell the same, vpon paine that the buyer shal forfait for euery parcell solde contrary &c. vj.s. viij. 1.5.Eliz.8.

No forfaited stuffe shalbe solde.

29 ¶If any person sell, exchange, or put away any tanned leather redo and vnwrought, except he cause the same to be registred and the price thereof, he shal forfait the value of the same leather. And whosoeuer doth buy any tanned leather, before the same bee sealed and sealed, or doth carrie the same out of any market or faire vntill it be registred, he shall forfayt the same or the value. 5.Eliz.8.

Registring of Leather.

30 ¶If any Currier, Shomaker, Sadler, or other Artificer vsing, cutting, or working of leather, dwelling in London or within three myles compasse, do not curry, put into, make & worke their wares belonging to their occupations, sufficiently and substancially according to the true meaning of this statute, the wardens of euery of the said companies shall forfait for euery offence done by any person vnder their order, Suruey & search, v. li. for euery Artificer inhabiting within the Citie of London or iij. myles compasse of the same, vsing any manuell occupatiõ of cutting or working of leather into made wares, shall contribute, pay, & be vnder the surucy and search of the wardens of such companies of ỳ sayd City, as the artificers cõmonly vsing the lyke occupation, beeing free men of the same Citie, & of the same company be, concerning onely their wares & stuffe made of or with leather in lyke maner as other free men of the same company do to the wardens of their company within the said Citie. 5.El.8.

The wardens forf. for the workemens offence.

31 ¶If an Artificer vsing cutting of leather shal sel in Londõ or within three myles compasse thereof, any wares belonging to his mistery but onely in open shoppe, common faire or market, he shal forfait al ỳ wares so solde, and x.s. for euery time. All which forfaitures aforesaid, of sũmes of money (except such as are otherwise before disposed) shalbe deuided into iij. equall partes, whereof one shalbe to ỳ Queene &c. an other to him that wil first sue by A. J. &c. wherin no W. E. P. &c. And ỳ third part shal goe to ỳ Citie, Borough,

Wares in Londõ shalbe solde in open place.

Howe the forfaitures shalbe imployed.

Borough, Towne, or Lord of libertie where the offence shalbe committed. And al such leather, bootes &c. wares, stuffe, & other thinges made of tanned or curried leather, which shalbe foũd insufficiently wrought, tãned, or curried, & by this act declared to be forfaited, shalbe seised by any person finding ỹ fault thereof within London or three myles cõpasse therof, shalbe brought to ỹ Guild hall, passed by indifferent personnes, & the value thereof deuided into three partes, whereof the first seisor shal haue one, ỹ Chamber of London an other, & the third shalbe distributed amongst poore people of the said Citie & circuit, by the discretion of the Maior & fower Aldermen &c. And al leather, bootes, shoes, & other wares insufficiently wrought, tanned, or curried which shalbe foũd in any other Citie, Towne or place, & seised as forfaited, shalbe brought to ỹ common hall of such Citie &c. or to some conuenient & open place appointed by ỹ Lord or his deputie where no hall is, & there priced as is aforesaid, & one part shalbe distributed amongst the poore, and other dedes of charitie in those parties by ỹ discretiõ of ỹ Maior, Bayliffes, Lordes of libertes &c. An other part deliuered to the Maiors, Bayliffes &c. to the vse of the comminaltie of such City, Borough, &c. And where no such officers be, to ỹ Lord of ỹ liberty where such forfaiture shalbe committed, or seisure had. And ỹ third part to ỹ first seisure of such insufficient wares. 5. El. 8.

Making of peltes.

32 ¶ It is not lawful for any person to make any pelts, that is to say, to pulle, sheare, clippe, or take away ỹ woll of any Sheepskynne, or Lambeskynne, or to buy any skynne of any Stagge, Hynde, Buck, Doe, Goate, Fawne, or Kyd, or ỹ pelts or skynnes of any of them, vnlesse such personne do make or cause to be made thereof, tawed or vnlawful tanned leather, or parchment, or otherwise conuert ỹ same into Sempytes, Panelles, or other his owne necessary vses, vpon paine that euery person so making peltes, or buying any of ỹ pelts or skynnes aforesaid, shal forf. ỹ value of such pelts or skynnes so made & bought, and ii. s. vj. d. for euery skynne or pelt. 5. El. 22. 8. El. 14.

Transporting leather. Tallow or rawe hydes.

33 ¶ It shal not be lawfull for any persõ to lade, shippe, or carrie in any vessel or ship, or otherwise, any leather, tallowe, or rawe Hydes, of intent to transport the same into any place beyond the seas, or into Scotland by lande or by seas, (other then Scotty hydes to be brought to Berwicke. 5. El. 8.) vpon paine of the forfaiture of the said leather, tallowe, or rawe hydes so laden or transported, & treble ỹ value thereof, to be forf. by the owner or owners.

Owners of shippes.

And also the owners of ỹ said Shippes, or vessels, knowing of the offence, shal forfait ỹ said shippes, or vessels, wãl their apparel furniture

furniture to them belonging. And the Maisters, & Maryners, knowing of such offence shall haue imprisonment by the space of one yeare wout baile or mainprise, & forfait al their goods & cattels, to the Quæne & J. to be rec. by A. J. &c. wherein no W. &c. P. &c. But any owner of any such shippe or vessell, or any maister or maryner, knowing any such transportation of leather, tallow, or rawe hides, do wtin three monethes next after his knowledge therof, or after his returne into this realme, geue good informatiõ, bona fide before any of the Barons of the Eschequer, or before ỳ Lord Presydent or coũsaile in the North, or in the Marches of Wales, or before ỳ head officer of any port, where he shal first arriue vpon hys othe, of the number and quantitie of leather, tallowe, & raw hydes transported, & by whom, where, & in what shippe or vessel, and therwardes shalbe ready vpon reasonable warning by proces, to verifie & proue the same for the Quéene, then such owner, maister or maryner shal not forfait his shippe, nor incurre ỳ forfaitures aforesaid. 18. El. 8. Mariners.

34 ¶ Euery persõ which hath ỳ Quéenes licence to carry ouer any tanned leather, may buy in open faire or market so much as he shalbe licenced to transport, so that the said licence be shewed ỳ chiefe officer of ỳ said faire or market, which officer shal writ vpon ỳ backside of ỳ lycence, howe much leather ỳ partie licenced hath bought, & ỳ day, time, & place of buying ỳ sãe, ỳ thereby it may appeare how & whẽ euery such licẽce shalbe satisfied. 5. Ed. 6. 15. Buying leather to transport by lycence.

35 ¶ No person shall ship or cause to be shipped to the intent to transport ouer the sea, as merchãdise to be solde or exchãged there any shoes, bootes, buskyns, startups, or slippers, vpõ paine to forfait the same to ỳ Q. & him that will seise or sue for the same by A. J. &c. wherein no W. &c. E. P. &c. But this act shal not be preiudicial to any persõ for transporting so much of ỳ foresaid wares vnto ỳ Isle of Man, as is necessary for ỳ furniture of ỳ Quéenes subiects there. Ed. 6. 15. Transporting of shoes Bootes &c.

36 ¶ If any personne do buy or ingrosse any kynde of tanned leather, to the intent to sell the same againe, (except sadlers, girdlers, cordwayners, & other artificers, makinge wares of leather which may buy such kynde of tanned leather, as is necessary for their occupying to be wrought by them) hs shall forfait the same & price thereof, But ỳ foresaid artificers may sell their wombes ends, and neckes which they cannot occupy about their wares. Ed. 6. 15. S. 12. Engrossing of tãned leather.

1 What subsidie or custome shalbe paied for leather trãsported. S. Custome. 6. 7.

2 For

2 For the shippinge and trāsporting of certaine Clothe, See Marchants. 4.

¶Limitation of Prescription.

Writte of Right

NO person shall sue, haue or maintaine any writt of ryght, or make any prescription, title, or claime, to or for any manors, landes, tenements, rents, annuities, commons, pentions, portions, corodies, or other hereditaments, of the possession of his auncestor, or predecessor, and declare and alledge any further seisyn or possession of his auncestor or predecessor, but onely of the seison or possession of his auncestor or predecessor, which hath been, or now is, or shalbe seised of the said manors, lands &c. or other hereditaments

60. yeares. within three score yeres next before the Teste of the same writ, or next before the said prescription, title or claime, so sued, cōmenced brought, made or had. 32. H. 8. 2.

Accions possessarie.

2 ¶No person shal sue, haue, or maintaine any assise of Mordauncester, Cosinage, Aiel, writ of Entre vpon disseisin, done to any of his auncesters or predecessors, or any other accion possessarie, vpon the possessiō of any of his auncestors or predecessors, of any manors, lands, tenements, or other hereditamentes, of any further seisyn or possessiō of his auncestor or predecessour, but onely of the seyson or possessiō of his auncestour or predecessor, which was, or hereafter shalbe seised of ẏ same manors, lands, tenements

50. yeares. or other hereditaments within fifty yeres next before ẏ Teste of the original of ẏ same writ brought &c. 32. H. 8. 2.

3 ¶No person shal sue, haue, or maintaine any accion for any manors, lands, tenements, or other hereditaments of, or vpon his

His owne seisō 30. yeares. owne seison or possession therein, aboue xxx. yeares next before Teste of ẏ original of the same writ brought &c. 32. H. 8. 2.

Auowrie.

4 ¶No person shal make any auowrie or cognisance, for any rent, suit, or seruice, and alledge any seisyn of any rent, suit, or seruice in the same auowrie or cognisance, in the possession of his auncestors, or predecessors, or in his owne possessiō, or in the possession of any other whose estate hee shall pretende or claime to have

50. yeares. aboue fifty yeres next before the making of ẏ said auowrie or cognisance. 32. H. 8. 2.

Formedon. Scire facias.

5 ¶All Formedons in reuerter, formedons in remainder, and Scire facias, vpon fines, of any manors, lands, tenements or other hereditaments, shal be sued & taken within fifty yeres next after

50. yeares. the title & cause of accion fallen, & at no time after the said fifty yeres passed. 32. H. 8. 2.

Warre for default of seison within

6 ¶If any person at any time do sue any of the sayd accions within

writtes for any manors, lands, tenements or other hereditamẽts or make any auowry, cogniſance, preſcription, title, or claime, of, or for any rent, ſuit, ſeruice, or other hereditamentes and cannot proue that he or his auncestors, or predeceſſors, were in actual poſſeſſion or ſeiſon of and in the ſame, at any time within the yeares before limitted, and in maner & forme as is aforeſaid, if the ſame be trauerſed or denyed, by the plaintife, demaundant, or auowãt, or by the tenant or defendant. Then, & after ſuch trial therein had, euery ſuch perſon and his heires, ſhall fromhenceforth be vtterly barred for euer of al & euery the ſaid writs, actions, auowries, cogniſances, preſcription, title & claime hereafter to bee ſued, hadd or made, of & for the ſame manors, landes &c. or other the premiſſes, or any part of the ſame, for the which the ſame accion, writte, auowrie, cogniſance, preſcription, title or claime ſhal be at any time hadſued, or made. But if any falſe verdict be geuen in any of the ſaid accions, ſuits, auowries, preſcriptions, titles or claimes, the partie greeued by the ſame, ſhall & may haue hys attaint vpon the ſame, & his recouery, execution, and other aduantages therein in lyke maner and forme, as herctofore hath been accuſtomed. 32. H. 8. 2.

the time of limitation.

Attaint.

7 ¶But this former act, or any matter therein contained doth not extende to any writ of right of aduowſon, Quare impedit, or aſſiſe of darrain preſentmẽt, nor Iure patronatus, nor to any writ of right of ward, writ of Reuiſhmẽt of ward, for ỹ wardſhip of ỹ body, or for ỹ wardſhip of ỹ lãds, tenemẽts, or hereditamẽts holdẽ by knights ſeruice, nor to ỹ ſeyſor of ỹ wardſhip of ỹ body of any ward nor to ỹ ſeiſor or wardſhip of any lands &c. holdẽ by knights ſeruice. But euery perſon, body politique and corporate, their heirs and ſucceſſours, ſhall and may haue and purſue all and ſinguler the ſaid writtes of right of aduowſon, Quare impedit, Aſſiſe of darreine preſentment, Iure patronatus, writtes of right of ward, reuiſhment of warde, and alſo ſeyſe the wardſhippe both of the body and of the landes &c. holden by knyghtes ſeruice, in lyke maner, to al intents, as they or any of thẽ ſhould or might haue done before ỹ making of ỹ ſaid act of 32. H. 8. An. 1. Mar. 5.

Right of aduowſon.
Quare impedit.
Aſſiſe of darrain preſentment.
Iure patronatus.
Warde.

¶Lynnen cloth.

If any perſon, Engliſh or Straunger, Deniſon or Alyen, doth put to ſale any whole peece or halfe peece of lynnen cloth called Doulas or Lockerum, vnles there bee mencyon expreſſed vppon eyther of the ſaid whole peece, or halfe peece ſo put to ſale, ỹ whole nomber of the yardes or elles that is contayned in the ſaied whole peece,

The contents of Doulas & Lockerum.

pæce, or halfe pæce, hée shall forfait the said whole pæce, or halfe pæce to the Quéene and him that will seise, and sue for the same by Accion, Informatiõ &c. or other wise, wherein no wager &c. &c. 28. H. 8. 4.

Stretching or impairyng of lynnen cloth.

2 ¶ If any person do wittingly cast or cause to be cast any piece of linnen cloth ouer a beame or pæce of tymber, and doth by any deuise Racke, Stretch, and drawe the same of length and breadth and then doth with battledores, pæces of tymber or wood, beate same, and cast thereuppon any deceiptfull lycors myngled with Choke or other like thynges, or doth wittingly vse, or cause to vsed any other act or meane, to, in, or with any kinde of lynnen cloth, whereby the same is deceiptfull or worse, to, or for the vse thereof, then he shal forfait his said cloth to the Quéene and suffer one monethes imprisonment at the least, & pay such fine shalbe assessed by the Iustices before whom he shalbe cõdemned 1. El. 12. See Iustices of peace. 61.

¶ Liuerie & Ouster le maine.

The Queene shal haue primer seisõ.

THe Quéene shal haue primer seisõ after ỹ death of those who hold of her in chiefe, of all the landes and tenementes where they were seised in their demeane as of fée, of what age soeuer their heyres be, by takinge the issues of the same landes vntill quisition be made, as the custome is, and that shée hath receyued the homage of such heires. Prærogatiua Regis. 17. Edward 2. Marleb. 52. H. 3. 16.

An heire entering into lands holdē of the Q. without liuerie.

2 ¶ When any persõ which holdeth of the Q. in Capite, die & his heire doth enter into the land that his auncester helde Quéene the day of his death, before hee hath done homage to grace, and receiued of her seisyn, he shal thereby gaine no fréehold & if he die seised during that time, his wife shal not be endowed the same lande. But this is not ment of Socage & smale tenures Prærog. R. 17. Ed. 2. 13.

The heire of ful age found within age.

3 ¶ If it be found for the Quéene &c. that the heire of her tenant is vnder age, where in déede such heire is at the same time of full age or of a more or greater age then is contayned within such office In euery such case such heire shal & may at his verie full age, after prosecute a writ of Etate probãda. And sue his liuery or ouster le maine as his case shal lie, & haue the profits of his lands &c. from the time of his verie ful age, any such vntrue office, or any lawe custome not withstanding. 2. Ed. 6. 8.

Liueries be in the order of the Court of wards

4 ¶ All liueries to be sued out of the Quéenes hands, her heires and successors, of any lands, tenementes, rentes, reuersions, remaynders

maners, or other hereditamẽts whatſoeuer, be in ẏ order, ſuruey gouernance of ẏ court of wardes & liueries, & of ẏ miniſters of ẏ ſame. And ẏ maſter, ſurueior, atturney, & general receiuor of ẏ ſaid court, or three of thẽ, (whereof ẏ maſter or ſurueior to be one) haue authoritie, after offices and inquiſitions found, to couenant & in- ment with euery perſon for his liuerie of the lands, tenements, and hereditaments, compriſed or not compriſed in ſuch offices, and to it, and rate the price for the ſame, and to appoint ẏ daies of pay- ment thereof, by obligation or obligations taken for the ſame to e Quéene, which obligatiõs ſo made and euery of them, be good d effectuall in lawe & of like ſtrength, as writinges obligatory ade by any lay perſon, by authoritie of the ſtatute of the ſtaple en. or ought to bée. And all and ſinguler bylles for any ſpeciall generall liuerie to bée ſued, aſſigned by the handes of the ſayed aſter, Surueiour, Atturney, Receiuour, or three of them where- the maſter or ſurueiour to be one, is a good and ſufficient warrãt the Chauncellour of England and of the Duchy of Lancaſter, d al other Chauncellors and officers hauing power to paſſe ly- ries vnder any of the Quéenes ſeales, for the making out, ſea- g and deliuerie of any liueries according to the purport and ef- t of ſuch billes with other clauſes of courſe neceſſarie for ẏ ſame . Henrici. 8.22.

Warrants to paſſe liueries.

¶ No perſon hauing landes or tenementes aboue the yerely ue of v.li. ſhall haue or ſue any liuerie before office found before Eſchetor or other commiſſioner &c. by vertue of the Quéenes t or commiſſion &c. directed out of the Chauncerie or any other rts &c. which writs or cõmiſſions ſhal not paſſe out of ẏ Chaũ- or any other courts hauing authoritie to make ſuch writts or miſſions, but by a warrant or bill aſſigned and ſubſcribed with hands and names of the Maſter, Surueiour, Atturney, & Re- er of the court of wardes and Liueries, or three, two, or one of m, to be directed and deliuered to the Chauncellour of Englãd, any other Chauncellor or officer, hauing power to awarde writs. 33. H. 8.22.

No liuerie of lands to the yerely value of v.li. before office

Warrants for writs to find of ſices.

¶ But euery heire which is in caſe to ſue Liuery, where hys & tenemẽts exceéde not the yerely value of v.li. ſhal lawfully his generall liuerie by warrant made from the court of s & liueries, although there be no other inquiſitiõ thereof had rtified, & ſhall pay ẏ fées of euery ſuch liuerie as be hereafter ſſed for ẏ fées of a general liuery not exceéding ẏ yerely value li. as though the ſame liuerie were made & ſued forth vpon an found by vertue of ẏ Quéenes writ. 33. H. 8.22.

Generall liuery without inquiſition.

7 ¶ Euery

A generall liuery of lands not exceding xx.li.

7 ¶Euery person may sue at his pleasure a generall liuerie after office thereof by writte or commission found, retourned & certified for any manors, landes, tenemsntes, rentes, reuersions, remainders, or other hereditaments, whereof the clere yerely value doth not excede xx.li. the value of which lands &c. shalbe taken as is limitted in the offices found thereof, (except by the examination & certificat of the said master, surueiour, atturney, & receiuor general, or three of them) it shal otherwise appeare & be declared in a of ỹ Quenes courtes. But no such liuery shalbee sued or passed out a bil or warrant first obtained for the same from ỹ said master atturney, receiuor, or three of them &c. as is aforesaid. 33. H.8. 22.

The fees of a generall liuery.

8 ¶If the lands, tenements or hereditaments, whereof a generall liuerie may be sued by this act, excede the clere yerely value of v.li. then such as shal sue and haue such general liuerie, shall pay for the seale thereof xx.s. iiij.d. and al other such fees as herefore in such cases haue ben accustomed vpon the suinge of any general liueries. And if the landes, tenementes &c. whereof any such generall liuerie shalbee sued, excede not the clere value of v.li. then euery person suing for any generall liuerie, shal pay for the seale of euerie such liuerie xij.d. and to the Clarkes of the petit bagge for writing and enrolling thereof xx.d. and for respite of homage to the Hanaper viij.d. and to the Lord great Chamberlein xx.d. and to the clarke of the liueries for the warrant & inrollynge of the liuerie xx.d. and to the Master of the rolles xx.d. and none other fees. 33. H.8.22.

Within what time a liuery shalbe sued forth.

9 ¶Euery person to whome the Quéene shall graunt any liuerie, to be sued vpon his bill assigned thereof w̄ the Quenes hand or with ỹ hands of ỹ officers of her court of wards & liueries, shall sue forth his patent w̄in three moneths next after the assignement of the saied bill, or else ỹ same bill & the effect thereof shalbe void. 33. H. 8.22.

Liueries shalbe inrolled.

10 ¶Euery ward hauing his liuerie, shall w̄in vj. monethes next after the liuery had, bring ỹ same to the Auditors of the court of wards &c. or to one of them, to haue ỹ same there inrolled for discharge of the lands against the Quene, according to the tenor of the said liuere, & shal pay for the inrolment thereof such reasonable summe of money as shalbe appointed by ỹ master of ỹ wards &c. so ỹ it excede not. r.s. 32. H.8.46.

Where the owner shall haue his lands with the issues.

11 ¶If the Escheator or Sheriffe do seise any landes into the Quenes hands where there is no cause of seisure, & after the same landes be deliuered out of the Quenes hands for the same cause, the issues also shalbe fully restored to him who hath the lande, &

hath ſuſtayned the loſſe. Artic. ſuper Chart' 28. Ed. 1. 19.

12 ¶If by Enquests taken by Eſchetors by any writts ſued out of the Chauncery and returned, it be found that nothing is holden of the Quéene, whereby ſhe ought to haue ẏ ward of ſuch lãds by reaſon of the Enqueſtes taken by her Eſchetors, immediatly the Eſchetors ſhalbe commaunded by the Quéenes writte directed out of the Chauncery to deliuer their handes & put from them al the lands and tenements ſo ſeiſed into the Quéenes poſſeſſion. And if they haue taken any profits of ſuch lãds &c. they ſhall make full reſtitution to him or thẽ for whom it was found by enqueſts, that ſuch lands ought to remayne from the time that ſuch landes fell into the Quéenes hands. But if after the Eſchetors haue diſcharged their handes by force of the Quéenes writte, any thinge happen to be found in the Chauncerie, Eſchequer, or any other of the Quéenes courts, whereby the wardſhip of ſuch lands whereof the Eſchetors haue diſcharged their handes, ſhould belonge vnto the Quéene, immediatly he in whoſe hands ſuch lands happen to be, ſhalbe ſummoned, to be before the Quéene at a certaine day wherſoeuer &c. to ſhew if he can ſay any thing wherfore ẏ Quéene ought not to haue the wardſhip of ſuch lãds, according to ẏ forme of the Euidẽces, or remembrances found for her. And if he come & ſhew why the warde of ſuch landes doth not, or ought not to belong vnto the Quéene, but that it ought to remaine to him ſelfe, he ſhal go quite, & retaine ẏ wardſhip. But if ẏ party warned doth not come, or doth come & can ſay nothing, why the Quéene ſhould not haue ẏ wardſhip, immediatly the lands ſhalbe reſeiſed into the Quéenes handes by reaſon of wardſhippe, to be kept vntil the full age of the heire of the ſame. And if it be found by the Enqueſtes taken by the Eſchetors and returned, that the Cuſtody of ẏ ſame landes contained in the inquiſitions and ſeiſed into the Quéenes handes, ought not to remaine vnto the Quéene, the Eſchetor ſhal be commaunded forthwith to diſcharge his hands thereof, and to reſtore the whole iſſues. And in like ſort if it be found by Euidence and remembraunces in the Chauncery, Eſchequer, or otherwiſe, that the Quéene ought to haue the Cuſtody of them, her Maieſtie ſhalbe anſwered the whole iſſues thereof at their handes which held the ſame landes from the time they were firſt taken into the Quéenes hands by the Eſchetors by the foreſaid writtes. 29. Ed. 1. Stat. de Eſchaetoribus.

Amoueas manũ cum exitibus.

Reſeiſer.

13 ¶If an Eſchetor or other Miniſter hath ſeyſed to the Quéens vſe, any Cities, boroughes, townes, manors, hundreds, baylies, milles, herbage, tolle, plees, and perquiſits of courts, or other

Meane rates.

other landes, or tenementes, whereof profit riseth from time to time through the yeare, and after hath made liuerie thereof to the heire by the Quéenes commaundement out of the Chauncery before the terme of payment is come, yet he shalbe charged to answere the Quéene for the rate and portion of the time, according to the auncient course of the Eschequer. But auncient farmes & rents which be to be payed at certaine termes, as rent secke, and rent seruice, whereof no profite riseth vntill the day of payment, shalbe paied to them, which haue liuery out of the Quéenes hands at the day of payment of the same farmes & rents which do ensue such liuerie. 28. Ed. 3. 4. S. Eschetors, Office, Trauerse, VVardes.

¶Liueryes & Retayners.

Gyuing of liueries for maintenance.

I F any person shal gyue any Chaperons, Hattes, or such like liueryes to any man, for maintenance of quarrels or other confederacies, he shal forfait C.s. for euery such liuery. And he which receiueth such liuerie shal forf. xl.s. 1. R. 2. 7. 7. H. 4. 14. 13. H. 4. 3. 8. H. 6. 4. 8. Ed. 4. 2.

wearing of liueries for maintenance.

2 ¶If any person of his owne authoritie and proper costes, do buy or weare for his clothing any clothes or hattes called liueries of ỳ sort or suit of any Lord, Lady, Knight, Esquier, or other person to haue supportation, succour, or maintenance in any quarrell, or in any other manner, & be thereof lawfully conuict, he shal forfait xl.s. & be one yeare imprisoned. 8. H. 6. 4. 8. E. 4. 2.

Wearing the Queenes liuerie.

3 ¶If any which is a Knight or Esquier mential of ỳ Quéene or which is of her retinue, to whome her Maiestie shall geeue her honorable liuerie, doe weare his said liuery in the countrey or citie, where he is reliant or dwellinge, or in any other place of the Realme out of the Quéenes presence, (sauing in going or comming from the Quéenes house) & is thereof duely attainted, he shall lose his liuerie, & forf. his fée for euer. 1. H. 4. 7.

Companyes.

4 ¶No congregation or company shall make any company of cloth, or of hatts, at their owne costs, vpon paine that euery man of the same congregation or company shal forf. xl.s. (except guildes & fraternities, & also people of artes & sciences, within cities & boroughes, which be ordeined to a good intent) 7. H. 4. 14.

Gyuing or taking of liueries or badges, and retayning.

5 ¶No person by him selfe or any other for him, shal gyue any liuerie or badge, or retaine any person other then his menial seruant, officer, or learned man in the one law or in the other, by any writing, oth, or promise. And if any do the cõtrary he shal forfait for euery such liuerie or badge gyuen C.s. And he which doth retaine or take of an other such oth, writing, or promise, or reta-

by Indenture, ſhall forf. C.s. for euery moneth that any perſon is ſo retayned w̄ him by oth, writing, indēture, or promiſe. And euery perſon which is retained by writing, indenture, othe, or promiſe, for euery moneth that he is ſo retayned ſhal forfait C.s. to the Q. & I. And euery perſon that wil ſue againſt any other for any offēce committed contrarie to this ſtatut, or any other of the premiſſes before the Quēenes Juſtices in her bench, before the Juſtices of ỹ cōmon plees, Juſtices of peace in their Seſſions, Juſtices of Oier and terminer, and gaole deliuerie, Juſtices of the Counties Palantine of Lancaſter & Cheſter, and in the court of Heramſhire, & in the Court of the Biſhoppe of Durham in the countie palantine of Durham, ſhalbe admitted thereunto by the diſcretion of ỹ ſame Judges, to gyue infor̄mation for the Quēene of any of the premiſſes committed within the iuriſdiction of the ſame Courtes. And euery Infor̄mer ſhalbe admitted to ſue for the Quēene and hym ſelfe, accion or accions vpon the ſame by infor̄mation in any of ỹ ſaid Courts, againſt as many ſuch offendors in one byll or infor̄mation as liketh him, which infor̄mation ſhalbe in ſteade of a bill or̄ originall writte, wherein ſuch Proces ſhalbe awarded as in an originall writte of Treſpas againſt the peace (but that in the cōunties Palantine of Lancaſter & Cheſter, nor in Dureſme, no Exigent ſhalbe awarded vpon any infor̄mation, ſuit, or proces, to bee made by force of this ordinance, and if any be, or any Outlawrie thereupon pronounced, the ſame ſhalbe voide without any writ of Error.) And if any of the offendors be preſent in any of the ſaid courtes, any of the Juſtices may cōmaund him to bee brought to anſwere to ſuch bil. vpon ſuch Infor̄mation (by an othe firſt to be taken vpon a booke by ſuch infor̄mer, before ſome one of ỹ Judges, that his complaint is true) wōut any other or further Proces therin. And euery of the ſame Judges within his iuriſdiction may by his diſcretion examine euery of the defendāts vpon ſuch infor̄mation, and iudge him conuict aſwel by examination as by triall. And the Q. ſhal haue the one halfe of the forfaiture (if it be not in a Citie or Towne corporat, ỹ hath the ſame by the Quēenes &c. graunt) and the Infor̄mer the other halfe, which alſo ſhal recouer his coſtes by the Judges diſcretion, & execution thereof, as in Recoueries vpon debt or treſpas, wherein no E. P. &c. 8. Ed. 4. 2.

In what courte the Infor̄mer may proſecute his ſuite.

6 ¶ But this Act extendeth not to any gift, graunt, or confirmation made of any fee, annuitie, pencion, rent, landes, or tenements by the Quēene or any others, to any other perſon or perſōs of their coūcell giuen or to be giuen, or for their lawfull ſeruice done or to be done (& for no vnlawfull cauſe) although the perſon to

whom such gift, graunt, or confirmation is made, be not learned in the one law or the other. Neither doth it extende to any liuery
At what time, & by whō grunge of liueryes is lawfull. giuen at the kinges or Quēenes Coronation, or at the installinge of an Archbishop or Bishop, or erection, creation, or mariage of any Lord or Lady of estate, or at any creation of any Knightes of the Bathe, or at the commencement of any Clerke in any Vniuersitie, or at the creation of Serieants of the law, or gyuen by any fraternitie, guild, or millerie corporat, or by the Maior, Shiriff or other chiefe officer of any Citie, Borough, Towne, or Port of this Realme of England for the time being, duringe that time in the executing of their office or occupation. Nor to any liueries or badges gyuen in the defence of ỹ Quēene, & of this her Realme. Nor to the Constable or Marshall, for gyuing any badge, liuerie, or token, for any feates of Armes to be done within this realme. Nor to any Wardens of the Marches towardes Scotland for any liuery badge, or token by thē gyuen from Trent Northward. at such time only as shalbe necessary to leuie people for defence of the Marches. 1. H. 4. 7. 8. Ed. 4. 2.

1 What Issues shalbe returned vpon any person in an Information sued vpon the Statut made against gyuing of Liueries. S. Returne of Sherifes. 11.

¶ Maynepriſe and Bayle.

Trankporting of sheepe. NO person shalbe let to bayle or maynepriſe, which is cōmitted to prison for bringing, delinering, sending, receiuing or taking, or procuring to be brought, sent &c. into any ship or bottome any sheepe being a lime, to be conueyed out of any of the Quēenes dominions. 8. El. 3. S. Sheepe 1.

Hatter. 2 ¶ Nor any maker, or worker of Hatts, which is cōmitted to prison, for taking aboue ij. apprētices at one time, or for taking any of those for any lesse time thē vij. yeres. 8. El. 11. S. Hattes. 6.

Accomptant. 3 ¶ Nor any seruaunt, bailife, chamberlains, or receiuor accomptable, which vpon his accompt before Auditors is found in arrerages & committed to the gaole. 13. Ed. 1. 11. S. Accompt. 1.

Seruant. 4 ¶ Nor any seruant committed to prison for departing from his Master wᵗ whō he was retayned before ỹ end of his terme, or for departing at the end of his terme wᵗout one quarters warning gyuē before, or for refusing to serue for the wages rated, according to the statut being therunto requested, or for not seruing when promised or couenanted to serue. 5. El. 4. S. Laborers. 6.

Artificer. Laborer. 5 ¶ Nor any Artificer, or Laborer, which is imprisoned for departing from any peece of worke which he hath taken in grosse, or in tasse,

in talke, or in grosse, to finishe, before he hath ended the same, with out licence of the master of the worke, or of him that hath charge thereof, except his wages be withholden, or he appointed to serue the Quéne. 5. El. 4. S. Laborers. 10.

6 ¶ Nor he which is imprisoned for gyuing or receyuing more wages then is assessed in a proclamation made for ỳ purpose in ỳ shire, city, borough, &c. where he dwelleth. 5. El. 4. S. Laborers. 4. Giuers or receiuers of wages not allowed.

7 ¶ Nor he which is committed to prison for false forging or wittingly assenting, or causing to be forged or made any false deede, charter, or writing sealed, court rolle, or the will of any person in writing, to the intent &c. or any obligation, bill obligatorie, acquittance, release, or other discharge of any debt, accompt, action, suite, demaunde, or other thing personall, or for that he did pronounce, publishe, or giue in euidents any such false or forged Charter &c. as trew, knowing the same to bee false and forged. 5. El. 14. S. Forger of deedes. 1. 2. Forging of deedes.

8 ¶ Nor he which doth maliciously, or for veration procure a nie other person to be arrested or attached to aunswere in ỳ kings Bench, Marshalsy, or in any Court within London (or other place where any liberty is to hold plee in any accion personal) at the suit, or in ỳ name of any person, where there is no such person knowē, or without ỳ assent of such person, at whose suit, or in whose name it is therof conuict or lawfully accused &c. & committed to prison for vj. monethes &c. 8. El. 2. S. Damages. 1. 2. 3. Arrestments at an vnknowen mans suit.

9 ¶ Nor he which is committed to prison for iij. dayes, for keeping of an Alehouse being not allowed, or being forbidden by two Justices of peace. 5. Ed. 6. 25. S. Alehouses. 2. Alehouse.

10 ¶ Nor he which is committed to prison for that he being an Alyen borne, and not denizen conueyeth into any parts out of the Quenes obeisance, any long Bowes, Arrowes, or Shaftes, wt out the Quéenes licence, vntill he hath made fine to the Quéne, by the discretion of the Justices of peace in their Sessions. 33. H. 8. S. Aliens 2. Aliens.

11 ¶ Nor he which is cōmitted to prison for wearing any suche, contrarie to the statut in that case prouided, vntil he hath paied the fine whereof he is conuicted. 1. & 2. P. & M. 2. S. Apparell. 17. Apparell.

12 ¶ Nor any of a petit Jury in London which is attainted of the verdict of a graund Jury, & therefore committed to prison, which hath receiued any money, reward, or promyse thereof, of the defendant in the attaint, for the intent of gyuing his verdict whereupon the Attaint is grounded, nor the defendant in the said Attaint which doth gyue or promise the said money or rewarde, Attaint.

& is therefore committed to prison. 11. H. 7. 21. S. Attaint 18. 17.

Collectors Surueyors of bridges.

13 ¶ Nor any Collector or Surueyor of any decayed bridge, which is committed to prisō for refusing to accompt to the Justices of peace, of the receipts & payments of money by him receyued toward the repaire of the said bridge, vntill he hath truely accompted. 22. H. 8. 5. S. Bridges 4.

Father or mother of a bastard.

14 ¶ Nor the mother or reputed father of any Bastarde begotten & borne out of lawful matrimony, committed to prison for not performing an order made by ij. Justices of peace for ỹ keping of such bastarde child (except he or she shall put in sufficient suerty for performance of the said order, or personally appeare at the next generall Sessions in the shire where such order shalbe taken, and to abide such order as the said Justices there shall take.) 18. El. 3. S. Bastardy 1.

Souldier.

15 ¶ Nor any Souldier cōmitted to prison for making away any horse or harnes wherewith he shalbe sett forth, vntil he hath satisfied the owner thereof. 2. Ed. 6. 2. S. Captaines. 1.

Prophecies.

16 ¶ Nor any person which is cōmitted to prison for any offence by him committed, contrarie to the statut prouided against fond & phantasticall prophecies. 5. El. 15. S. Prophecies 1.

Musters.

17 ¶ Nor he which is committed to prison for being conuicted of any offence by him committed contrarie to the statut made for the takinge of Musters, vntil he hath paied the forfaitures in the sayd statut specified. 4. & 5. P. & M. 3. S. Captaines 12. Iustice of peace 26.

Witchcraft.

18 ¶ Nor he which is committed to prison for a whole yere for vsing any Witchcraft, Enchantment, Charme, or Sorcery, or for being councelling or ayding thereunto, contrary to the statut in that case prouided. 5. El. 16. S. Coniuration 3. 4.

Transporting of corne, vittaile

19 ¶ Nor any Master, or Mariner of any ship, crayer, or vessel which is committed to prison, for transporting beyond the seas, or into Scotland, any Corne, Malt, Beere, Butter, Cheese, Herring, or woode wout lawfull authoritie, or for conueying by boate &c. any of the forsaid thinges to any shippe on the seas, or within any hauen to be transported &c. nor any man which hauing licence to transport the forsaid thinges, doth transport more then is contained in his licence. 1. & 2. P. & M. 5. S. Corne 1. 2. 3.

Transporting of leather, tallow, & rawe hydes.

20 ¶ Nor the Master or Mariner of any shippe committed to prison for lading, shipping, or carrying in any shippe or other vessel any Leather, Tallow, or Raw hides, of intent to trāsport the same beyond the seas, or into Scotlande, if the said Master or Mariner do know of the said offence. 18. El. 8. S. Leather 33.

21 ¶ Nor

21 ¶ Nor he which is committed to prison by ij. Justices of peace, for refusing to pay his tythes, or dueties, or any summe of money wherein he is condempned for the same after definitive sentence given against him by the Ordinarie, vntil he be bound with sufficient suerties to the Queenes vse to performe the saide sentence. 27. H. 8. 20. 32. H. 8. 7. S. Tithes 22. Tythes.

22 ¶ Nor he which shal yelde his body to the Shirife or other officer, vpon any writ of Capias awarded according to the statut prouided for the due execution of the writ, De Excomunicato capiendo. 5. El. 23. S. Excommunication. 1. Excõmunicate.

23 ¶ Nor he which is committed to prison for committing any offence prohibited by the statut prouided 5. El. for the punishment of vnlawfull taking of Fishe, Deare, or Hawkes, vntill he hath found sufficient suertie for his good abearing for the space of vij. yeres after the offence committed. 5. El. 21. S. Fish 7. Forestes 3. Hawkes 1. Vnlawfull taking of Fish. Deere. Hawkes.

24 ¶ Nor he which is cõmitted to iij. moneths imprisonmẽt for eating flesh vpon any day vsually obserued a fishe day, or vpon any wednesday newly limitted to be obserued as fishe day. 5. El. 5. S. Fish dayes 1. Eating of flesh.

25 ¶ Nor any Collector or surueyor, appointed for ẏ making of gaoles in certeine shires, committed to prison by the Justices of peace, for refusing to make accompt, or to pay such money as shal come to their hands for ẏ vse, vntill they haue accompted & payed all the said money. 23. H. 8. 2. 5. El. 24. 13. El. 25. S. Prisons 2. Collector and Surueyor for Gaoles.

26 ¶ Nor he which is committed to prison by any Justice of peace for vehement suspicion of any of the offences prohibited by the statut prouided agaynst seditious woordes and rumours, vntil he shalbe deliuered according to ẏ said statut. Nor he which is committed to perpetual imprisonmẽt during his life for his second offence, beinge once before conuicted of any of the offences prohibited by the sayd Statut 1. & 2. P. & M. 3. 1. El. 6. S. Nevves 4 5. 6. Newes.

27 ¶ Nor the Sherife of any Countie committed to prison for one whole yeare, for doing any thinge contrary to any statut made in, or before 23. H. 6. concerning the election and returning of Knights, Citizens, and Burgesses to come to the Parliament. 23. H. 6. 15. S. Parliament 4. Knights for the Parliament.

28 ¶ Nor he which is committed to prison for vj. monethes for committing wilfull periurie, nor he which doth procure any witnes to commit wilfull periury, & therefore doth forfait xl. li. & hath lands, goods, or cattals, to the value of ẏ said xl. li. & is therefore Periury.

committed to vj. moneths imprisonment. 5. El. 9. 14. El. 11. S. Periurie 1. 2.

Phisitions in London.

29 ¶ Nor he which is committed to prison by the President of the Colledge of the faculty of Phisicke in London, or by such as the said President and Colledge shal authorise to search & punish offendors for any offence or disobedience by him committed, contrarie to the statut in that case prouided, vntill he be discharged of his imprisonment by the said President, and the persons authorised. 1. M. 9. S. Phisitions. 4.

Playes and Games.

30 ¶ Nor he which is committed to prison by any Justice of peace, Maior, Bailife, Shirife, or other head Officer &c. for keeping any house, alley, or place of vnlawfull games, or for haunting, resorting, & playing there, vntil he be bound to ỳ Quéenes ble in such summe, as to the forefaid Officers shalbe thought reasonable, no longer to kepe or vse the said games. 33. H. 8. 9. S. Playes 5.

Collector for the poore.

31 ¶ Nor any Collector for the releife of the poore, which shall refuse to make his accompt, or shall neglect the same, by the space of xiiij. dayes after request to him therefore made, shalbee therefore committed to prison, & shall there remayne vntil he hath accompted & payed all surplusages which he hath receiued. 14. El. 5. S. Poore people 6.

Censors, & collectors of houses of correction

32 ¶ Nor any Collector or Gouernor of the poore, or Censor, warden, or Collector for any of the houses of correction, committed to prison, for refusing to make accompt of such money as he hath receyued to the vses aforesaid, or for neglecting the same accompt within xiiij. daies after request to him made, or for not paying wth in one weeke after his accompt the whole arrerages which he shalbe found in &c. vntill he hath made his accompt and payed the said arrerages. 18. El. 3. S. Poore people 26.

Disturbers of Preachers.

33 ¶ Nor he which is committed to prison for disturbing or misusing any Preacher in ỳ time of his Sermon, being lawfully authorized to preach, or for rescuing, or disturbing ỳ arrest of such offendor. 1. M. 3. S. Preachers 1. 2.

Chatour.

34 ¶ Nor the Chatour, or other Officer of any noble man or other, committed to prison for taking of any vittailes, corne, or other thing, of any of the Quéenes lyege people against their will, vntill they haue redelyuered the same, or the very value therof. 3. H. 6. 14. S. Purueyors 1.

Purueying within fiue miles of Cãbridge or Oxforde.

35 ¶ Nor any Purueyor, Maker, Badger, or other minister of the Quéenes, nor any other common Poulter, cõmitted to moneths imprisonmẽt for taking, or bargaining for any vittail graine in either of ỳ markets or towns of Cambridge or Oxford or with

ye kinn fiue miles therof, wout the licẽce of either of ẏ Chauncellors, or Vice Chauncelors of ẏ said vniuersities where &c. in writing obtayned vnder ẏ seale of their office. 2. & 3. P. & M. 1543. El. 21. S. Purueiors. 32.

36 ¶ Nor he which is cõmitted to prison for any redisseisin by him done, shalbe bailed or repleuied by a commen writ &c. W. 2. 13 Ed. 1. 26. S. Redisseisin. 3. — Redisseisin.

37 ¶ Nor any person cõmitted to vi. monethes. vii. monethes or perpetual imprisonment for cõmitting any of the offences prohibited by the stat. prouided. 1. El. for the vniformitie of common praier & seruice in ẏ church, & the administration of ẏ sacramẽts. 1. El. 2. S. Sacraments 2. — Sacraments & seruice.

38 ¶ Nor any vagabond committed to prison by ẏ Iustices of peace of the same shire, or by ẏ head officer of any Cyty or towne corporat where he shalbe apprehended, vntil the nert Sessions of ẏ peace, or general gaole deliuery of the same Countie, Citie &c. 14. El. 5. S. Vagabondes. 2. — Vagabonds.

39. ¶ Nor he which is cõmitted to prisõ for falsifiing or counterfaitting of any false weights, vntil he hath made fine according to ẏ discretion of the Iustices of peace. 9. H. 5. 8. S. VVeightes. 13. — Counterfaiting of weightes.

40 ¶ Nor any person aboue the age of xiiii. yeres committed to two yeres imprisonment, for conueying, or causing to be conueied any maide or woman child vnmaried, within the age of xvi. yeres, out of the poss. & against ẏ wil of ẏ father or mother, or such person as shal haue ẏ gouernance of such maide &c. other then such of whome shee shal hold any lands by knightes seruice. 4. & 5. P. & M. 8. S. VVomen. 6. 7. — Taking away of maydes.

41 ¶ Nor any person aboue the age of xiiij. yeres committed to ij. yeres imprisonment, for taking away & deflowring, or for contracting matrimony wt any maide or woman childe vnmaried, vnder the age of xvi. yeres against the wil or vnknowing of ẏ father, mother, or such as shall haue the gouernaunce of her, except the contract be made by the consent of her Gardein. 4. & 5. P. & M. 8. 8. VVomen. 8. — Deflowring or contracting matrimony with a mayde.

42 ¶ Nor any person which hath remoued his indictmẽt of felony into ẏ kings Bench, or is there appealed of Felony, shalbe let to baile by the Marshal of the kings Bench. 5. Ed. 3. 8. — Marshal of the kings bench.

43 ¶ Nor he which is condempned in any of ẏ Quẽnes courts by vertue therof is committed to prison, there to remaine vntil he hath agreed with the plaintife at whose suit he was condemp- — Condẽpnation

M. 1. K. 2 12. 2. H. 5. 2. S. Escape. 3.

44 ¶ Nor any Gaugeour, Packer, or searcher of Fishe which — Gaugeours

is

Packer. Sercher. is cõmitted to prison for that he taketh more for gauging packing or searching then he ought to do. 11.H.7.23.S.Fish.12.

Fraudulent deedes 45 ¶ Nor he which is cõmitted to prison for being party to any fained or fraudulent feoffement, Gift, Bond, Suit &c. or knowing therof, shal willingly put in vre or defend ỳ same as true & simple, or shal assigne ỳ lands, leases, or goods to him conueied. 27. El.5.14.El.11.S.Fraudulent deedes.2.

Forstaller, Regrater, engroller 46 ¶ Nor any Forstaller, Regrator, or Engroller being convict or attainted by ỳ lawe, which for his first offence shal be imprisoned two monethes, for his second halfe a yere, & for the third during the K. pleasure. 5.Ed.6.14.13.El.25.S.Forstallers.4.

Ryots. 47 ¶ Nor he which is cõmitted to prison for one yere at ỳ least for any great and heynous riot by him & others done 2.H.5.8.S. Riots.11.

Vnlawful assemblie. 48 ¶ Nor any persons being aboue ỳ number of two, & vnder xij. cõmitted to prison for one yere for ỳ they assembled together, & did intend, practise &c. with force of armes &c. to murder any the Quẽnes subiects, or to breake downe &c. the pales, hedges, ditches walle, or other closure of any Parke or other ground inclosed, or the bank of any Fishe pond or pole, to the intent the same should remaine open, or to doe any other vnlawful act prohibited by the stat. made An.1.H. &c. & being required by a Justice of peace or Sherife of ỳ same Coũty, or by ỳ Maior &c. or chife officer of ỳ City or Towne corporat, to returne to their habitations, doe not, but attempt to put in vre any of the said thinges. 1.H.12.1.El.16.S. Riots.20.

Moued to make commotion. 49 ¶ Nor any person committed to prison for three monethes, for ỳ he being spoken vnto, or moued to make any cõmotiõ, insurrection, or vnlawful assemblie for any intent prohibited (by ỳ stat. made. 1.H. against vnlawful assemblies,) did not wõ xviij. howers after he was spoken vnto or moued (vnles he haue a good excuse) declare the same to one Justice of peace, or Sheriffe of the county, or to the Maior, Sherife, Baillifes, or other head officers of any City, or towne corporat, where such motion was, vnles he shalbe discharged by three Justices of peace of ỳ sãe shere &c. 13.H. 12.1.El.16.S.Riots.24.

Procurers of commocion. 50 ¶ Nor any person cõmitted to prison for ỳ he moued, stirred, or procured any other person to commit or doe any offence prohibited by ỳ forsaid stat. 1.H.12.1.El.16.S.Riots.30.

Refusing to represse rebelliõ. 51 ¶ Nor any person cõmitted to prison, for that he being above the age of xviij. yeres and vnder lx. able to serue, not sicke, lame, or impotent, and beinge required by a Justice of peace, Sheriffe, &.

Maior

Maior, Bailife &c. of ỳ Coũty City, Borough, or towne, where any riotes assembly, contrary to the said stat. &c. shalbe, or by any other by their cõmaundement, to goe wᵗ him or them to suppresse the persons vnlawfully assembled, doth willingly & obstinatly refuse so to doe. 1. M. 12. 1. El. 16. S. Riots. 25.

52 ¶ Nor any other person committed to prison, for ỳ he (hauing no reasonable excuse) doth not giue his attendance vpõ ỳ M. Lieutenant for suppression of any commotiõ, rebellion &c. after declaration of his letters patents, & request to him made. 1. M. 12. 1. El. 16. S. Riots. 26. Attendance vpõ the Queenes Lieutenant.

53 ¶ Nor he which is imprisoned for buying or wearing any clothes or hatts, called Liũies, of ỳ sort or suit of any Lord, Knight, Esquier, or other person to haue maintenance in any quarell, or in any other maner. 8. H. 6. 4. S. Liueries. 2. Liueries.

54 ¶ Nor a prisoner which before was outlawed. Nor hee which hath abiured, Nor an appruer, Nor he which is takẽ wᵗ the maner, Nor he which hath brokẽ the M. prison, Nor a theefe opẽly defamed, & knowẽ, Nor he which is appealed by an appruer so lõg as the appruer doth liue, except he be of good name, Nor he which is taken for burning of a house feloniously done, or for false money or for coũterfaitng ỳ M. Seale, Nor any excõmunicat person, taken at ỳ Bishops request, Nor he which is taken for a manifest offence, or for treason touching ỳ M. W. 1. 3. Ed. 1. 15. And by ỳ the stat. it doth appeare, ỳ he which was takẽ for ỳ death of a mã, by ỳ kings cõmaũdemẽt, or his Justices, or for ỳ forest, was not repleusable by the common lawe.

55 ¶ But such as be indicted of Larceny by enquests taken before Sheriffes or Bailifes by their office, or of light suspicion, or for petit Larceny that amounteth not aboue the value of xii. d. if they were not guiltie of some Larceny before, or guiltie of receipt of theues or felons, or of cõmaundement or force, or of aid in felony fire, or guilte of some other trespas, for which one ought not to lose life or member, And a man appealed of an appruer after ỳ death of ỳ appruer if he be no cõmon theefe nor defamed, shalbe let out by sufficiẽt suerty, wherof ỳ sherife wilbe aunswerable, & that wᵗout geuing any part of their goods. W. 1. 3. Ed. 1. 15. Where mainprise is allowable.

56 ¶ If the Sherife, or any other let one go at large by suerty which is not repleusable, if he be Sherife, Constable or any other Officer of fee, which hath the keping of prisoners, and is thereof conuicted, he shal lose his fee and office for euer, & if ỳ vnder sherife, Constable, or Bailife of such as haue fee for keeping of prisoners, do it contrarie to the wil of his master, or any other bailife beinge not Wastment by the Sherife of one not bailable.

not of lée, they shal haue iij. yeres imprisonment, & make fine at the Quéenes pleasure. W. I. 3. Ed. I. 15.

Bailement by Justices of one not bailable.

57 ¶ If any Justices of peace doe let to baile or mainprise any person which for any offence by him cõmitted is declared not to be repleuisable or bailable, or forbidden to be repleuised by ŷ forsaid stat. 3. Ed. I. ŷ said Justices so offending shal pay such fines, as ŷ Justices of Gaole deliuery of the Shire, City, or towne where the offence shal be committed, vpon due proofe therof by examination before them) shal assesse, but the Justices of peace & Coroners in Londõ & Midd & in other Cities, Boroughs, & Townes corporat, within this Realme, & Wales, haue aucthoritie to let to baile felons and prisoners as they haue ben heretofore accustomed. I. & 2. P. & M. 13. And in like sort shal sheriffes or any other be punished by ŷ Justices of gaole deliuery according to the forme of the said stat. of 3. Ed. I. which doe let to bayle or mainprise any person forbidden to be repleuyed by the said stat. Statutum de finibus &c. 27. Ed. I. 3.

Withholding of prisoners repleuisable, or taking of reward to deliuer them

58 ¶ Whosoeuer doth withold prisoners repleuisable after they haue offered sufficient suerty, shal pay a grieuous amerciament to the K. & he ŷ doth take any reward for ŷ deliuerance of such, shal pay double to the prisoner, & also a grieuous amerciament to ŷ K. W. I. 3. Ed. I. 15.

1 For the bailement of prisoners by Iustices of peace, taking & certifiing their examinations, & binding others to geue euidence against them. S. Iustices of peace. 102.

2 VVho may be let to baile or maineprise by any Shirife and vvho not. S. Sherifes. 8.

3 VVhere he shal be let to maineprise vvhich is indicted of murder at the Queenes suit & acquited. S. Murder. 3.

¶ Maintenance, Champertie, Embracery and buying of Titles.

Maintenance by the Queens Officers.

IF any of the Quéenes Councellers, Officers, or seruants, or any other person whatsoeuer, do take or sustaine any quarel, by maintenance, in the countrey or els where, they shalbe grieuously punished in forme ensuing, that is, the said Councelors & Quéenes great Officers shal encurre such paine as shalbe assessed by the Quéenes maiestie by the aduise of the Lords of the Realme, & other lesse officers & seruants of ŷ Quéene in the Eschequer & other Courts, & of her ordinary houshold shal lose their offices and seruices, be imprisoned, & also paie a fine at the Quéenes pleasure. Euery of their degrées, estates, & desertes, & al other persons shal be imprisoned

...ioned and pay fines at the Quéenes pleasure. 1. Ed. 3. 14. ...1.2.4.

Clerkes taking presentmẽts or part in quarels.

¶ If any Clerke of ẏ Quéenes, or of any Justice, do receiue ...ntment of any Church for the which any plée or debate is ...e Quéenes Court, wout the Quéenes special licence, he shall ...e Church and his seruice. And if any Justice or Shirifes ...take part in any quarel or matter depẽding in ẏ Quéenes ...or do worke any fraude whereby cõmon Right may be de... disturbed, he shal lose his seruice, & be further punished if ẏ ...es do require. Wl. 1.3. Ed. 1.28.

Maintenãce in enquire of Riots.

¶ If any Riot, Rout or vnlawful assemblie be committed, ...e Justices of peace or two of them do thereof make enquire ...ding to the statut, for that cause prouided 13. H. 4. and ẏ sayd ...c. is not found by the Jurie, by reason of any embracery or ...tenance of the said Jurrours, then euery person duly proued ...maintenor or embraceour of ẏ same, shal forf. to ẏ Quéene ...be cõmitted to warde there to remaine by discretion of the ...ices. 19. H. 7. 13. S. Riots. 15.

Maintenance of suits depending in any of the Queenes courtes.

¶ Whosoeuer doth vnlawfully maintaine, or cause, or pro... any vnlawful mainteãce in any accion suit, demaund or com... in any of the Quéenes Courts of the Chauncery, Starre ...ber, white Hall, or els where wõ any of ẏ Quéenes domi... of England, or Wales, or the marches of the same, where ...person or persons haue auctho̅itie by vertue of the Quéenes ...mission, patent, or writ, to hold plée of lands, or to examine, ...r, or determine any title of lãds, or any matter or witnes con... the title, right, or interest of any lands, tenements or he...taments, or doth vnlawfully retaine for maintenance of any ... plée any perso̅ or persons, or Embrace any freholders or iu..., or suborne any witnes by letters, rewardes, promise, or by a... other sinister labour or meanes, for to maintaine any matter ...se, or to the disturbance or hinderãce of Justice, or to the pro...ment or occasion of any maner of porture, by false verdict or ...tolle, in any of the courts aforsaid, shal forf. for euery such of... li. to the Quéene & J. to be rec. by A. J. &c. wherein no Wl. ...P. J. &c. if the suit bee commenced in any of the Quéenes ...s within one yere next after any such offence committed, or ...32. H. 8. 9.

Embracetors Suborne witnesses.

Champertie.

¶ No officer of the Quéenes, nor other person whatsoeuer, ...e vpon him to maintaine any matter depending in suit, to ...part of the thing in plée, or other profit. Wlest. 1.3. Ed. 1.25. ...her shal any person vpon such consideration, couenant or de...

part

part with his right to an other, and if any doe & therof be attai-
ted, ỳ taker shal forfait to ỳ Quéene so much of his lands, & p-
as the value of the thinge in such sort taken for maintenance
amount vnto. And whosoeuer wil, shalbe receiued to sue for ỳ
before the same Iustices, before whõe the suit was depending
by them the Iudgement shalbe geuen, but a man may take ỳ co-
sel of those which be pleaders of the law, and learned men for
kée, & of his frẽds. W.2.13.E.1.49.28.Ed.3.11. And if any
son doe take vpon him for maintenance, Champertie, or the
bargaine, any maner of suit or plée against another, & is attai-
of such assumption, suit, or bargaine, or of consent therto, he sh-
three yeres imprisoned, and further punished at the Quéenes p-
sure. 33. Ed. 1.

Chãpertours. 6 ¶ Champertours be they ỳ moue plées & suits, or cause to
moued, either by their own or others procuremẽt, & sue thẽ at th-
owne costs, to haue part of the land or gaines in variance. 33.
1. An Embraceour is he which cõmeth to the barre w̃ the p-
Embraceor. & speaketh in the matter, & is there to suruey the Jury.

Buying of titles. 7 ¶ No person or persons shal bargaine, buy, or sel, or by
meanes obtaine get, or haue any pretensed rights or titles, or
promise grant or couenant to haue any right, or title of any
or persons, in or to any Manors, lands tenements or other
ditamẽts, but if such person or persons which shal so bargaine
grant, couenãt, or promise ỳ sãe, their auncestors, or they by w-
he or they claime ỳ same, haue bene in possession of the sãe, or
Reuersion or remainder therof, or taken ỳ Rents, or profits th-
of, by the space of one whole yere next before ỳ said bargaine,
nant grant, or promise made, vpon paine that he ỳ shal make
such bargaine sale, promise, couenant or grãt, shall forfait ỳ
value of the lands tenements or hereditaments so bargained,
promised, couenanted, or granted, contrary to ỳ forme of this
And ỳ buier or taker therof knowing ỳ same shal also forf. ỳ
value of the said lands &c. so by him bought or taken as is
said, to ỳ M. & J. to be recouered by A. J. &c. wherin no w. &c.
J. &c. if ỳ suit be commenced in any of ỳ M. courtes win one
after the offence committed, or els not. 32. H. 8. 9.

Purchasing a pretensed title. 8 ¶ But it is lawful to any person being in lawful poss. by
king of ỳ yerely farme, Rents, or profits of any manors, lands
nementes, or hereditamentes, to buy obtaine, gett, or haue by
reasonable meanes ỳ pretensed right or title of any other
persons to be made to, of, or in such lands &c. wherof he shal be in
lawful possession. 32. H. 8. 9.

For the punishment of Embraceours, S. Iurors. 5.
For geeuing or receiuing of liueries for maintenaunce. See ries. 1. 2.
VVho may vse any accions, or pursue vpon the statutes pro- against maintenance, Champertie, Embracerie &c. S. Acci- populer. 6.
The punishment of forcible entries by vvay of maintenáce. Force. 5.

¶Marchants, Marchandizes.

Marchants, Strãgers, and Denizẽs, and al other that wil Marchant strãgers may buy & sel within this Realme without interruption. by or sel corne, wines, Auer de potes, flesshe, fishe, & al other li- and vitaile, woolles, Clothes, and al other things, vendible, whence soeuer they come, at what place soeuer it be, City, Towne, Port of the sea, faire, market, or elsse where the Realme, within franchise or without, may frely sel thẽ that perso̅ it shal please them, aswel forains as denizens, in- at retaile, or by parcelles, at their wylles, to al people that by the same, (Except to the enimies of the Quéene and her hers). And if any disturbance be done to any merchant straun- denizen, or any other for the sale of such things in any City, Borough, Towne, Port of the Sea, or other place which hath frã- and the Maiors, & Bailiffes, or other which haue the rule of franchise, being required by the said merchãts, or other ther- prouide remedy, and doe not, & thereof be attainted, the fran- shalbe seised into ẏ Quéenes handes, and neuertheles, they which haue done this disturbance shal restore to the said merchãt double dammages which he hath therby sustained. And if such disturbãce or interuption be done in such places or townes where franchise is, & the lord (if he be present) or his bailife, Constable, other ruler of the said Townes and places in the absence of the lord) being therin required to do right, and doe not, and therof attainted, they shal yelde to the plaintife hys double dammages delayed, and the disturbers, in the one case, and in the other dwithin the fraunchise as without, if they be attainted, shall one yeres imprisonment, & be raũsomed at ẏ Quéenes plea- No alien or denizen vpon ẏ foresaid paine shalbe troubled, but may frely buy such things aforesaid in ẏ said places and carry where it pleaseth him to his owne vse, or to the profit of the or the Realme, sauing that such merchaunts Aliens shall One stranger shal not mar- chandise with an other. no wine out of ẏ fãe realme. But no Merchant strãger shal sel at retaile, nor buy, nor make merchandize wiin ẏ realme with

with an other ſtraunge merchant alien, to ſel againe, nor no merchant alīē ſhal ſel to retaile within the ſame Realme, nor ſhal put to ſale any maner of wares or marchandizes except victuals, & tailes, And alſo al aliens ſhal ſel wines by whole veſſels, & Spicerie by whole veſſels, & bales, & in no other maner. And no maner of ſpicery after it is brought into ỳ Realme, ſhalbe carried out of ſāe by alien or denizen, vpon paine of forfaiture ỳ ſame. 9. Ed. 3. 25. Ed. 3. 2. 11. R. 2. 7. 16. R. 2. 1. 2. R. 2. 1.

Wines.

Spicerie.

No ſcauage ſhalbe paied for marchandiſe cuſtomed.

2 ¶ If any Maior, Sherife, bailife, or other officer in any City, Borough, or towne within this Realme doe diſtraine, take, leuy any cuſtome called Scauage or ſhewage of any merchāt denizē, or of any other the Quēenes ſubiectes denizens for any marchandizes to the Quēene before truly cuſtomed that is brought land or by water to be vttered in any City, Borough, or towne in this land, or for non paiment of the ſaid Scauage lett any marchāts or any other perſons denizēs to ſel and vtter their marchandize by them brought into any Citie, Borough, or Towne, he which offendeth ſhal forf. for euery offence xx. li. to the Quēene and party greeued, or any other that will ſue, wherein no Wager E. P. &c. But the Maior, Sheriſes, and comminaltie of London and euery of them ſhal haue al ſuch ſummes of money for Scauage of euery perſon denizens as by right they ought. 19. 7. 8.

Marchandiſe not lawful to be brought into this Realme.

3 ¶ No perſon ſhal bring, or cauſe to be brought into this Realme of England, from the partes of beyond the Seas, any girdels, Harneſſe for Girdels, Rapiers, Daggers, Knives, Pummels, Lockets, Chaps, Dagger Blades, Hādels, Scabbards and ſheathes for knives, Saddels, Horſe, harnes, Stirrops, Bittes, Cloues, Points, Leather laces or Pinnes, being made in any partes of beyond the Seas to be ſold, bartred, or changed within this Realme of England or Wales, vpon paine to forfait al ſuch wares ſo brought contrarie to ỳ treiwe meaning of this act, in whoſe handes ſoeuer they or any of them ſhalbe found, or the very value therof to the Quēene & Informer or Informers that wil ſeiſe the ſame, to be recouered by A. I. &c. wherein no Wager &c. E. P. &c. 3. Ed. 4. 4. 1. R. 3. 12. 5. El. 7. 14. El. 11. to continue the end of the next parliament.

Shipping of felles, ſkinnes, Leather.

4 ¶ If any perſō do ſhippe or cōuey, or cauſe to be ſhipped in or to any Shippe, Boate, or veſſel, in or vpon the Sea, or vpon any hauen, Creeke Riuer or place within England or Wales, any maner of ſhepe ſkinnes, woolfels shorelings or ỳ ſkinnes of any Stagge, Hynd, Bucke, Doe, Goate, Fa-

of Rydde, or the peltes of any of them, or the leather made of any of them (tawed Lether made of Sheepeskinnes, onely except. 8. El. 14.) to the intent to transport the same beyond the Sea, there to be uttered by way of merchandize, or otherwise, he shal forfait all such skinnes or peltes, bought, laden, shipped, or transported, or the value of them, and also two shillings sixe pence for euery fell, pelt, skinne &c. bought, laden, shipped, or transported, to ỳ Quéene A. I. to be rec. by A. I. &c. wherin no E. Protection, Iniunction &c. But the Merchants of the Staple, the merchants of New Castel vpon Tine, Hartilpole, & Berwicke, their seruants, factors, & attorneis may transport all such lawfull wares as heretofore they lawfully might haue done. 5. El. 22.

5 ¶ No man shal lade, or cause to be laden from any place on land, into a ship, or vessell to be transported into any forrayne Region, or lay on land, or take &c. out of a ship (being not in leake or wracke) any goods brought from any parts out of the Quéenes dominions, by way of Merchandize (fishe taken by the Quéenes subiects and salt except) but only in the day light, vz. from the first of March vntil the last of September betwixt the Sunne rising and the Sunne setting, And from the last of September vntil the first of March betweene the howers of seuen in the morning and three in the afternoone, and in and vpō some such open place, key or wharfe as the Quéenes maiestie hath, or shal appoint, or where the Customer, Comptroller & Serchers (Hull only except) by ỳ space of. 3. yeres before the making of this act, (being 23. Januarij. An. Do. 1559.) haue bene resident, vpon paine of forfeit of al such goodes & merchandise so laden, or discharged, contrary to the true meaning of this act, or the value thereof. 1. El. 11. 4. H. 4. 20.

At what time & place marchandize shalbe discharged.

6 ¶ If any master, or other person taking charge of a ship, crayer, or vessel do receiue into his ship, or lay on land out of his ship any goods or merchandize (except before excepted) to be transported out, or brought in from any place out of the Quéenes dominions to any other place, or at any other hower then is before limitted, he shal forfait for euery offence a hundreth pound to the Q. & I. to be rec. &c. wherein no Wl. &c. E. VI. I. &c. 1. El. 11.

At what time & place the master of a ship shal receiue or discharge his lading.

7 ¶ No master, shipper or other, taking charge of the voyage, shal receiue into his ship any goodes (except before excepted) to bée transported out of the Quéenes dominions, before he shal signifie to the Customer and officers of the Port where he ladeth, that he intendeth to lade, & into what place he intendeth to passe, Nor shal put his lading depart out of the Port where he shall lade, before he do signifie vnto the sayd officers of his lading, & what persones

Shipper shal giue notice to the Customer of his departing.

shal haue lading, with him in his ship. And further doe truely answer to such questiõs, as shalbe ministred vnto him by the Customer or other officer concerning the merchandize laden, being examined vpon his othe, or otherwise, vpõ paine to forf. for euery default not truely aduertising, nor answering C. li. to the K. & I. &c. wherein no W. &c. E. P. &c. 1. El. 11.

The customer shalbe aduertised of al merchandise brought in.

8 ¶ If any person taking charge of a ship wherein any merchandize, (except before excepted) shalbe brought from any partes out of the Quéenes dominiõs, shal discharge into any lighter and lay on land, or procure, or willingly suffer to be discharged &c. any goods before he shal haue declared to the Customer, or other Officer of the Port where he arriueth, the names of euery of the merchants or laders, and shal haue truely answered to such questions concerning such merchandize as shalbe to him ministred vpõ his oth, or otherwise, by such Customer or Officer, he shal forf. for euery def. C. li. to the K. & I. &c. wherin no W. &c. E. P. I. &c. 1. El. 11.

Aliens shal imploy their money in this Realme.

9 ¶ Euery Merchant Alien, & euery vitayler, or other stranger not being denizen, which shal resort into any place or Port of this realme or Wales, shal duly imploy al the money receiued by him in any Port of the same realme, or Wales, vppon the merchandizes or other commodities of this Realme (Sauing his reasonable costs by the ouerlight of the chiefe Gouernour of the place where he shal arriue) or without fraude shall put the same in due payment to the Quéenes people within the Realme, the same imployment in paiment to be duely proued by the stranger before his departing out of the same Port, by writing from the merchãts whom the said straunger hath payd his money, witnessing that he hath so done, or els by such proufes as shal séeme reasonable to the Customer or Comptroller of ỹ same Port, & Maior, Bailife, or other chiefe Gouernour of any such Citie, Borough, or towne where such port shalbe, vpon paine of forf. of all his goods, beings within the realme and one yeares imprisonment. 4. H. 4. 15. 17. Ed. 4. 13. H. 7. 8. And merchants Aliens shall find suertie in the Chauncery euery company for them of their companie, that none shal carrie Golde or Siluer out the Realme, agaynst the statutes therefore prouided, vpon paine of forf. of the same or the value. 2. Hen. 6. 6.

Merchants of Ireland, Jerneley, Garnsey.

10 ¶ Euery merchant of Ireland, Jerneley, and Garneley that bringeth any merchandize into this realme, shal imploy the money receiued for ỹ same (his reasonable expences deducted) in the cõmodities of this realme, or els without fraude shall put the same money in due payment within this land (the said imploy-

ment

mẽt or payment to be proued as is aforesaid) vpon paine of forf. of the value of the Merchãdize so brought into this realme. 3. H. 7. 8.

None dwelling in the countrey shal sel wares by retaile in a market towne.

11 ¶No person dwelling in the countrey any where within England, out of any Cities, Boroughs, townes corporat, or market Townes, shal sell, or cause to be solde by retayle, any woollen cloth, linnen cloth, Haberdash wares, Grocery wares, Mercerie wares, at or within any the sayed Cities, Boroughs, Townes corporat, or market Townes, or within the suburbes or liberties thereof (except it be in open Faires) vpon paine to forf. for euery time so offending vi. s. viij. d. & the whole wares so sold &c. to the K. & J. which wil seise & sue for the same by A. J. &c. wherein no E. &c. P. &c. 1. & 2. P. & M. 7.

Countreymen may sel wares in grosse in market townes.

12 ¶This act shal not be hurtful to any persons ẏ bring any of the said woollen cloth, linnen cloth, Haberdash, Grocery, or Mercary wares, to any of ẏ said Cities, market townes &c. to be solde by whole sale, ingrosse and not by retaile, but euery of them may lawfully sell the same by whole sale, ingrosse, and not by retaile, as they might haue done before &c. 1. & 2. P. & M. 7.

When a countrey man is come to dwel in a market towne he may sel by retaile.

13 ¶This act shal not extend to any persons that dwel in ẏ Countrey out of any of the said Cities, Boroughs, townes corporate, or market townes, but euery of them at any time when hee shalbe free of any the Guildes, or liberties of any of the saied Cities, or market townes &c. & dwel within any of them, shal or may sell, or cause to be sold any of ẏ wares aforesaid by retaile. Neither shal this act be preiudicial to the liberties & priuiledges of the vniuersities of Orford & Cambridge, or either of thẽ. 1. & 2. P. & M. 7.

Orforde. Cambridge.

Cloth of their owne making sold by retaile.

14 ¶It shalbe lawful to all persons to sell or cause to be sold by retayle or otherwise, all linnen or woollen cloth of their owne making, in euery citie, borough, or towne corporate, and market towne, as freely as they might haue done before. 1. & 2. P. & M. 7.

¶ In vvhat sort Merchants & handycraftesmen shal pay their tythes. S. Tythes. 30.

¶Marches.

Attachements.

IF any Officer of any of the Courts of ẏ East March, or West March adioyning vnto Scotland, do attache any person by his body, or by his goods, out of any of ẏ Counties of Northũberland Cumberland, & Westmerland, or the towne of New castle vpon Tine, to answer in any of ẏ said Courts, or by colour or cause of any maner of presentment taken in any of the said Courts. It is vnlawful for ẏ persõ so attached to make resistance, & not to obey any such attachmẽt. And if any persõ be endamaged or greeued by such

attachement, he may haue his action of Treſpas, or Falſe impriſonment, againſt them which ſhal make, or cauſe to be made ſuch attachment, and in the ſame ſhal recouer treble damma ges, if in the ſaid action the matter pleaded paſſe or be iudged for the plaintife. And alſo the defendant ſhal haue two yeares imprifonment, and pay C.s. to the Quéene. 31. H. 6. 3.

Mariners.

Mariner departing from his captaine.

IF any Mariner, or Gunner which taketh any preſt or wages to ſerue the Quéene, her heires or ſucceſſors, doth not go with, or doth depart from his Captaine within his terme for the which the Captaine hath retained him, (except ſome impediment by the viſitation of God ſuffer him not to go,) which he ſhal certifie immediatly to his captaine, and repay his preſt money, or except he do obtaine licence of his captaine vnder his ſeale, it is felony, and he ſhalbe puniſhed as a felon. 18. H. 6. 19. 5. El. 5.

Mariner or fiſherman ſhal not ſerue as a ſouldier.

2 ¶ No Mariner or Fiſherman haunting ẏ Sea as a maryner, or fiſherman, ſhalbe compelled againſt his will to ſerue as any Souldier vpon the land, or Sea, otherwiſe then as a mariner, except it ſhalbe vnder any captaine of ſome ſhippe or veſſel for lading to do ſome exployt, which mariners haue vſed to do, or vnder any other perſon hauing auctheritie to withſtand inuaſion of enemies, or to ſubdue any rebellion within the realme. And alſo except al ſuch perſons, as by tenure, lawful cuſtome, or couenant be bound to ſerue. 5. El. 5.

By what meanes fiſhermen ſhalbe taken to ſerue as mariners.

3 ¶ No fiſherman, vſing or haunting the Sea, ſhalbe taken by the Quéenes Commiſſion to ſerue her highneſſe as a mariner on the ſea, but ẏ ſaid Commiſſion ſhalbe firſt brought by ẏ Quéenes taker to two Iuſtices of peace next adioyning & inhabiting to the ſayd Sea coaſts, Townes, or other places where the ſayd maryners are ſo to be taken, to the intent the ſaied Iuſtices may chuſe out, & cauſe to be returned ſuch ſufficient number of able men, as in ẏ ſaid Cõmiſſion ſhalbe contained to ſerue her maieſty. 5. El. 5.

1 For the Mariners forfaiture for tranſporting Corne, Beere, Butter, Cheeſe &c. S. Corne. 1.

2 For the Mariners forfaiture for tranſporting of Lether. S. Lether. 33.

3 For the punishment of vvatermen vvhich hide them ſelues in time of preſſing. S. Boatmen. 6.

¶ Marshall, Marshalſie.

Of what things the Marſhal of the Queenes houſe ſhal hold plea.

THe Stewards & Marſhals ſhal not hold plea of freeholde, nor of debt, couenant, nor any contract made betweene any of the Quéens people, but only of treſpas done vpon ẏ Quéenes houſe, or

of other

al other treſpaſſes done within the verge, & of ſuch contracts & couenants that one of the Quœnes houſe maketh with an other within the ſame houſe, and not els where, & they ſhal pleade no plée of treſpas, except the party were attached by them before ỹ Quœne depart from the verge where the treſpas was committed, & they ſhal plede them ſpédely from day to day, ſo that they may be pleaded & determined before the Quœne depart out of the limites of ỹ ſame verge, where the treſpas was committed. And if they cãnot be determined within the limits of the ſame verge, the plées ſhall ceaſe before the Steward, & be determined at ỹ cõmon law. The Steward ſhall not take cogniſance of debts, nor of other things, but of ſuch perſons onely which be of the Quœnes houſe, nor ſhal hold any other plée by obligation made by a diſtreſſe taken by the Steward or Marſhal. And if they attempt any thing contrary to any part of this ſtatut it is voio. 28. Ed. 1. 3. Articuli ſuper chartas.

Cogniſance of debts.

2 ¶ If any plée of debt, detinue, or other plée perſonal be commenced betwixt any perſons being not of ỹ Quœens houſe, though the Record do make mention that the plaintife & defendant in the ſame plée be of the Quœnes houſe, yet the defendant ſhal not bee eſtopped by ſuch record but may make his auerment that he him ſelfe, or the ſayed playntife were not of the Quœnes houſe at the time of the ſaid plée or ſuit commenced. 15. H. 6. 1.

The def. ſhall not be eſtopped by the plaint declaration.

3 ¶ In all places where the Quœne in her owne perſon ſhall come to reſt, abide, or make repoſe, there within the verge limitted to her Graces Court (which ſhal not pas the ſpace of xij. miles, to be accompted frõ her lodging. 13. R. 2. 3.) her Steward, Marſhal, Coroner, and al other officers may kepe their courts for Juſtice, & execute their offices which ſhal appertaine vnto them, according to the lawes, cuſtomes, & ſtatutes of this Realme, aſwell within liberties as without, during the time of ỹ Quœnes abode, any priuiledge or graunt notwithſtanding. 27. H. 8. 25.

During the Q. abode the Marſhal may kepe his court within franchiſes.

The verge xii. miles.

4 ¶ In euery caſe where enqueſts be to be taken before ỹ Steward & Marſhal of the Quœnes houſe, ſuch Enqueſts ſhalbe takẽ by men of the countrey there about, & not by any of the Quœnes houſe, except it be of cõtracts, couenãts or treſpaſſes made by ſuch whereof the one part & the other is of the Quœns houſe, and that in the ſame houſe. 5. Ed. 3. 2. 10. Ed. 3. 2.

Enqueſts in the Marſhals court.

5 ¶ If any man wil complaine of Error made before ỹ Steward & Marſhall of the Quœnes houſe, he ſhal haue a writ to remoue the Record & the proces into the Kings bench, and there the Error ſhalbe redreſſed. 5. E. 3. 2. 10. Ed. 3. 3.

Error in the marſhals court ſhalbe reuerſed in the Kings Bench.

6 ¶ The Marſhal of the Marſhallie of ỹ Quœnes houſe may

The Marſhals fees.

take the fées hereafter following in open court. That is, of euery perſon which commeth by Capias to the ſaid Court iiij.d. and if he be let to mainpriſe vntill his day ij.d. more. And of euery perſon being defendant which is impleded of treſpas, & findeth ij. mayn-pernors to kéepe his day vntil the end of the plée ij.d. And of euery perſon cõmitted to priſon by iudgement of the Steward, in what ſoeuer maner the ſame be iiij.d. And of euery perſon delmered of felony. iiij.d. And of euery felon let to mainpriſe by the Court iij. d. But if the Marſhall, or any of his Officers vnder him, do take any other fées then are aboue declared, the ſaid Marſhal and euery of his officers ſhal loſe their offices, & alſo ſhal pay to the party grée-ued treble damages, for the which the ſaid party ſhal haue his ſuit before the Steward of the ſaid Court for the time being. A ſeruiter of bils which beareth a ſtaffe of ỹ ſame Court ſhall take for euery mile from the ſame Court, vntil the place where he ſhal do his ſeruice j.d. & for xii. miles xii.d. and to ſerue a Venire facias, or Diſtringas, out of the ſame Court the double, and if any ſeruiter of bils do the cõtrary, he ſhalbe impriſoned, & make fine to ỹ Quéne after the diſcretion of the Steward of the ſame Court, & alſo bée foriudged & baniſhed the ſame Court. All which Articles the Steward at his comming into the Countrey hath aucthoritie to proclaime & put in execution. 2. H. 4. 23. & Prieſtes & other eccleſiaſtical perſons taken in the Marſhalſy of the Quéens houſe, ſhal pay ſuch fées, as lay people ſhal reaſonably pay & no more. 9. R. 2. 5.

Seruiter of bils.

Eccleſiaſtical perſons.

Steward of the Marſhalſy.

7 ¶ The Steward of the Marſhalſy ſhalbe for euer frõ time to time aſſigned by writing vnder the Seal of the Lord Steward of the Quéenes houſe for the time being. 33. H. 8. 12.

1 In vvhat caſes the plaintife shal aunſvvere damages in the Marshalſy. S. Damages. 2.

2 VVhere the Marshal shal not let to baile him vvhich is in the kings Bench. S. Mainpriſe. 42.

Matrimonie.

ALL perſons be lawful to contract mariage, that be not prohibited by Gods lawe to marry, and no reſeruation or prohibition (Gods lawe except) ſhal trouble or impeache any mariage, wont the leuitical degrées. And no perſon of what eſtate, degrée or condition ſoeuer he or ſhe be, ſhalbe admitted in any of the ſpirituall courts within the Quéenes Realme, or any her lands & dominions to any proces, plea, or allegation contrary to this act. 32. H. 8. 38. 1. El. 1. In the ſaid ſtat of 32. H. 8. it was ordeyned that mariages being contract & ſolempnized in the face of the Church and conſummat with bodely knowledge, or fruite of childe, or children

betweene

betwene the parties ſo maried ſhould be good and indiſſoluble, notwithſtanding any precontract of matrimony not conſummat w̄ bodely knowledge which either of the perſons or both ſhould haue made with any other before the time of contracting that mariage ſo ſolempnized and conſummat &c. But that part of the Statute is repealed by. 2. Ed. 6. 23.

¶ Meſne.

When chiefe Lordes do diſtraine in their fée for Cuſtomes & ſeruices due vnto them, & there is a Meſne which ought to acquite the tenant, ſithence it lieth not in the mouth of the tenant after he hath repleuied the diſtres to deny the demaund of ẏ chiefe lord, which auoweth in the Quéenes court that ẏ diſtres is lawfully taken vpon his tenant vz, vpon ẏ Meſne, this remedy following is prouided for the tenant, That as ſone as the tenāt in demeſne (hauing a Meſne betwene him & chiefe lorde) is diſtrained, immediatly the tenant ſhal purchaſe a writ of meſne. And if the Meſne hauing lande in the ſame countie will make default vntill the graund diſtres be awarded, the plaintife ſhal haue ſuch day giuen him in his writ of graund diſtreſſe that before the comming therof, two coũties may be holden, & the ſherife ſhalbe commaũded ẏ he do diſtraine the meſne by ẏ graund diſtreſſe as in ẏ writ is contained, & neuertheleſſe the ſherife in two full counties ſhall cauſe ſolemply to be proclaymed that the ſaid Meſne ſhal appeare at the day contained in the writ, to anſwere the tenant, at which day if he do appeare, the ſute ſhal proceéde betwixt them according to the accuſtomed maner, and if he do not appeare, then the ſayd Meſne ſhal loſe the ſeruice of his tenāt, & from thenceforth the tenant ſhal not anſwer him any thing, but (leuing the Meſne) ſhal anſwere the chiefe Lorde thoſe ſeruices and cuſtomes which before time the foreſayed Meſne had wont to do. But ẏ chiefe Lord ſhall haue no power to diſtraine the tenant in demeſne ſo long as the ſayd tenant do offer him his ſeruices due & accuſtomed. And if the chiefe lorde do require more then the Meſne ought to do vnto him, the tenaunt in this caſe ſhal haue the ſame exception againſt the Lorde, which the Meſne ſhould haue had, And if the Meſne haue nothing in the Quéenes power, yet the tenant ſhall purchaſe his writte of meſne to the Sheriffe of that countie where he is diſtrained, and if the Sheriffe returne that hée hath nothing, whereby he may be ſummoned, yet a writ of Attachment ſhalbe awarded, & if ẏ ſherife returne that he hath nothing, wherehe may be attached, yet a writ of graũd diſtres ſhalbe awarded proclamatiõ ſhalbe made in forme aforeſaid. If ẏ Meſne haue no

The Meſne forfeuiged of his meſnalties.

land in the countie wherein the diſtres is taken, but hath lande in ſome other countie, then an oꝛiginal wꝛit ſhalbe awarded to ſummon the meſne to the ſherife of that countie, wherein the diſtres is taken, and when that ſherife ſhall returne that he hath nothing in his countie, then a Judicial wꝛit ſhalbe awarded to ſummõ the meſne to the ſherife of that countie wherein it is teſtified that he hath land, and the ſuit ſhal pꝛoceede in that countie vntil it is come to the graund diſtreſſe and pꝛoclamation, as befoꝛe is ſaied of the meſne hauing land in the ſame countie wherein the diſtreſſe is taken, and neuertheleſſe ſuite ſhalbe in the countie wherein hee hath nothing, (as befoꝛe is ſaide of the meſne hauing nothing) vntil it be come to the graund diſtres and pꝛoclamation, and ſo after pꝛoclamation made in both counties, the meſne ſhalbe foꝛeiudged of his fée and ſeruice. And whereas it chaunceth ſometime that the tenant in demeſne is enfeoffed to hold of the meſne by leſſe ſeruice then the meſne ought to do vnto the chiefe loꝛde, when after ſuch pꝛoclamation the tenant hath atturned vnto the chiefe loꝛd (omitting the meſne) the tenant muſt of neceſſitie anſwere the chiefe loꝛde the ſeruices and cuſtomes, which the meſne befoꝛe ought to haue done vnto him, And after the meſne doth come into ỹ court, and doth acknowledge that he ought to acquite his tenaunt, as is adiudged to acquite him, if after ſuch acknowledging oꝛ iudgemẽt there be complaint made that the meſne hath not acquited his tenant, then a Judicial wꝛit ſhalbe awarded, that the ſherife ſhal diſtraine the meſne to acquite the tenant, and to appeare befoꝛe the Juſtices at a certaine day, to ſhewe why hee did not acquite him befoꝛe. And when he appeareth at the diſtreſſe, the plaintife ſhal be heard, and if the plaintife can verifie that hee hath not acquited him, he ſhal yeld him dammages, and by award of the court, the tenant ſhall go quite from his meſne, and atturne vnto the chiefe Loꝛd, and if he do not appeare at the firſt diſtreſſe, an other wꝛit of diſtreſſe ſhalbe awarded, and pꝛoclamation ſhalbe made, and aſſone as that is returned, iudgement ſhalbe giuen as is afoꝛeſayde. And it is to be noted, that by this ſtatute, the tenants bee not excluded, but they may haue their warrantie of the meſnes & their heires if they be impleaded of their tenementes, as they haue had befoꝛe, Neyther be the tenantes excluded, but they may ſue their meſnes according to the cuſtome befoꝛe time vſed, if they ſée that the proces in auncient time vſed, may moꝛe auaile them then that which is giuen by this ſtatute. And it is to be vnderſtanded, that by this ſtatut, there is no remedy pꝛouided foꝛ al meſnes, but only in caſe where there is one onely meſne betwixt the Loꝛde the

The tenant holding by leſſe ſeruice then the Meſne doth.

Warrantie of the Meſne.

The tenãt may take his remedie giuen by the common lawe.

Foꝛ which meſnes this ſtatut is pꝛouided.

doꝛ

wch distraine, & the tenant, & in case when that meine is of ful age and in case when the tenant wout ỹ preiudice of any other then of ỹ meine, maie atturne to ỹ chiefe Lord, the which is sayd for women that be tenãts in Dower, tenants by ỹ Curtesy of Englãd, & otherwise tenants for terme of lyfe, or in fee taile, for whom by this statute no remedy is prouided. vvest. 2. 13. Ed. 1. 9.

¶ Monasteries, Colledges, Freechappels, Chauntries.

Monast. geuen to the kinge which had not in landes aboue CC. li. by yeare.

Ano 27. H. 8. it is enacted, that the said king H. 8. shall haue & enioy to him & his heires for euer, al such Monasteries, Priories, and other Religious houses of Monks, Chanons, & Nonnes which haue not in lands, tenements, rents, tithes, porcions, and other hereditamentes, aboue the clere yerely value of CC. li. And in lyke maner shall haue al the Scites, and Circuites of euery such religious houses, and al and singuler the manors, granges, méeses landes, tenementes, rentes, reuersions, seruices, tithes, pencions, Churches, chappels, aduowsõs, patronages, annuities, rights, cõditions, and other hereditaments, belonging to euery such Monastrie, priorie, or religious house, in as large maner, as the Abbots, Priors, Abbesses, & other Gouernors of such religious houses &c. now haue or ought to haue the same, in the right of their houses. And also he shal haue, to him and to his heires, al such monasteries, abbies, & priores, which at any time within one yeare nert before the making of this act, haue bene geuen & graũted to his Maiesty by any Abbot, Prior, Abbesse, or Prioresse, vnder their Couẽt seale, or that otherwise haue bene suppressed, or dissolued, and all the manors, lands &c. and hereditaments to any of the same monasteries &c. belonging. And the kinge shall haue the actual & reall possession of al the said religious houses, so that he may géeue and dispose them at hys pleasure, without further inquisitions or offices to bee found for the same. And the kynge shall haue to his owne vse al such ornaments, Iuels, goodes, cattels, & debts whych appertained to any of the chiefe gouernors of the said monasteries or Religious houses, in the right of their saied monasteries or houses, at 1. Martij. An. D. 1535. or at any tyme sithence, whersoeuer they shal come, except onely such beastes, graine, & woods & such other like cattel & reuenues, as they haue sold before ỹ sayd first day of March, or sithence, for the reasonable expences of any of the said houses &c.

Monast. suppressed within 2 yeare before.

Monast. goods geuen to the king.

2 ¶ And in the same stat, it is further enacted, ỹ euery person & body politique, which haue or shall haue any letters patents of ỹ kinge of any of ỹ Scites, Circuites, manors, lands &c. or other hereditaments

A confirmation of the kings letters patents made of abbey lands.

reditaments which appertained to any monasteries, abbes, or pri-
ores, heretofore suppressed, or ẏ shalbe suppressed by this act, shall
haue & enioy ẏ said scites, lands &c. & al other hereditamẽts cõtay-
ned in their letters patents, according to ẏ tenour of ẏ same letters
patẽts. And shal also haue al such acciõs, suits, entries, & remedies,
to al intẽts for any thing cõtained in euery such letters patẽts, in
like maner as ẏ chief gouernors of any religious houses, which had
ẏ sãe, or ought to haue had, if they had not bene suppressed. 27. H. 8

Other mens rights saued.

3 ¶ Sauing to euery person & persons, & bodies politique, their
heirs & successors (other then the Abbots, Priors, Abbesses, Pri-
resses, & other chiefe Gouernors of the said religious houses ẽpe-
cified in this act, and the Conẽts of the same and their successors, &
such as pretend to be founders, patrons, or donors of such religious
houses, or of any lands, tenements, or hereditaments belonging
to the same, and their heires and successors) al such right title, inte-
rest, possessions, leases for yeares, rents, seruices, annuities, com-
modities, fees, liberties, and liuings, pencions, porcions, corodies,
synodes, prores, and al other profits, as they or any of them hath,
ought, or myght haue had, in, or to any of the said Monasteries, or
other religious houses, or in or to any manors, lãds, or other here-
ditamentes, that appertained to any of them, as if the same hou-
ses had not bene suppressed by this act, but had continued. And sa-

The founders right of some thing saued.

uing vnto euery person and persons being founders, patrons, or
donours of any Abbie, Priorie, or other religious houses suppres-
sed by this act, their heires and successors, all such ryght, title, inte-
rest, possession, rentes, annuities, fees, offices, leases, commons, &
al other profits, which any of them haue, or should haue had, wout
fraud or couin by any meanes, otherwise then by reason or occasiõ
of the dissolutiõ of the said Abbies, Priores, or other religious hou-
ses into, or vpõ any of the said Abbies &c. wherof they be founders
patrons, or donours, or into or vpon any lands, tenemẽts, or other
hereditaments belonging to ẏ same, in like maner, as other persons
& bodies politique, be saued by this act, as is before rehersed. And as
if ẏ same Abbies, Priories, or other religious houses had not beene
suppressed by this act, but had continued in their essenciall bodies &
estates, 27. H. 8.

Fraudulent conueiances.

4 ¶ All craftie and fraudulẽt recoueries, feoffements, estates,
gifts, graunts and leases, and euery of them, made by any of the
chiefe Gouernors of such religious houses, vnder their Conẽt seales
wtin one yeare next before the makinge of this act, shalbee vtterly
void. 27. H. 8.

Leases, offices, fees, rorodies saued.

5 ¶ Such persons as haue leases for terme of lyfe or yeares,

whereupon

thereuppon is reserued ỹ old rent, & seruices accustomed, & such as
for any offices, fees or corodies, that hath bene accustomed in such
religious houses, and haue bought any liuerie or liuing in any such
houses, shal haue & enioy ỹ same, as if this act had neuer bene made
27. H. 8.

Celles of houses vnder obedience of others.

6 ¶But this act shal not be preiudiciall to any Abbots, or Priors of any abbies, or priores, beeing certified into the Eschequer to haue in possessions and profits spirituall, & temporall, aboue the cleare yearely value of CC. li. concerning such Celles of religious houses, belonging to their Monasteries or priores, in which Celles the Priors, or other chiefe Gouernors thereof, be vnder the obedience of the Abbots, and Priors, to whom such Celles belong, and may sue, nor be sued, and be Priors, or Gouernors datiue or removable, and accompt of ỹ profits of such Celles, at the pleasure of the Abbots and Priours &c. 27. H. 8. a stat. not imprinted. S. Hudrie. 9.

All religious houses which before were, or should be dissolued, geuen to king H. 8.

7 ¶Anno. 31. H. 8. 13. it is enacted, that ỹ king shal haue and enioy to him his heires, and successors for euer, al and singuler such Monasteries, abbathies, priories, nounries, colleges, hospitals houses of Friers, & other religious and ecclesiasticall houses & places, which sithence 4. Februarij. Anno 27. H. 8. haue beene dissolued, suppressed, renounced, relinquished, forfaited, giuen vp, or by any other meane, come to his highnes. And in lyke maner shal haue and enioy al the Scites, Circuites, precincts, manors, Lordships graunges, meeses, landes, tenementes, medowes, pastures, rentes, reuersions, seruices, woodes, tithes, pencions, portions, personages impropried, vicarages, Churches, chappels, aduowsõs, nominatiõs patronages, annuities, rights, interests, entries, conditions, commons, leetes, Courts, liberties, priuiledges, fraunchises, and other hereditaments whatsoeuer hereditaments, which appertained to the said late monasteries, & other Religious houses &c. or to any of them in as ample maner as ỹ late Abbots, Priors, & other ecclesiastical Gouernors of such Monasteries, & religious houses, had, held, or occupied, or right ought to haue had, holdẽ, or occupied in the right of their said monasteries, or religious houses at the time of the said dissolution, or by any other meane, comming of the same to the kyng, sithence the said fourth day of Februarie. And not onely al the sayd Monasteryes, Abbathies, and other Relygyous houses, Scites, Circuites, Manors, Landes, and all other the premisses herwyth presently, but also all other Monasteryes, and other Relygyous and Ecclesyastycall Houses and Places, whereafter shalbee dissolued, suppressed, or by any meane

come

come vnto the king. And also al the Scites, circuits, manors, lands and other hereditaments, whatsoeuer belonging to any of them, whensoeuer, and as soone as they shalbe so dissolued, or by any other meane come vnto the kinge, shalbe vested, and adiudged in the very actuall and reall seyson & possession of the kynge, his heirs and successors for euer, in the state and condition as they now be, and as though al the said late monasteries, abbathies, and all other religious and ecclesiasticall houses and places, so dissolued, & suppressed, as also which hereafter shalbe dissolued, suppressed &c. come vnto the kinge, Scites, circuites, precincts, manors, Lordships, granges, lands, tenements, & other the premisses, & euery of them, were in this preſẽt act specially & particularly named by expresse woordes.

Other mens titles saued.

8 ¶ Sauing to euery person and persons, and bodies politique the heires and successors of euery of them (other then the said late Abbots and other ecclesiasticall Gouernors of the said late monasteries, and other religious and ecclesiasticall houses and places, the successors of euery of them, and such as pretend to be founders patrons, and donours of such monasteries, and other ecclesiastical houses and places, or of any manors, messuages, lands, tenements and other hereditaments, belonging to the same their heires and successors, & ỹ heirs & successors of euery such patrõ, founder, or donor, and ỹ now Abbots & other ecclesiasticall Gouernors of such monasteries & religious houses & places, which hereafter shalbe dissolued, or cõe to ỹ king. And such as pretẽd to be foũders, patrons or donors of such monasteries and ecclesiasticall houses & places or of any manors, messuages, landes, tenements or other hereditaments to any of them belonging, their heires and successors) all such right, title, claime, interest, possessions, rents, charges, annuitie, leases, farmes, offices, fées, liueries, and livings, portions, pensions, corodies, commõs, sinodes, prouts, and other profits what they of any or them haue, clayme, ought, may, or might haue had in or to the premisses, or to any part or parcel thereof, in such like manner, to al intents, as if this act had neuer bene made (Reseruices, rents Secke, & al other seruices and suits onely except)

31. H. 8. 13.

Leases of lãds not dlually let.

9 ¶ If any Abbot, Prior, Abbesse, Prioresse, or other ecclesiastical Gouernor or gouernesse, of any Monasterie, Abbathie, or other religious or ecclesiasticall house or place, which hereafter shalbe dissolued, suppressed, or come to the king wõn one yeare next before the first day of this Parliament (being 28. Aprilis, An. D. 15[illegible] haue made or hereafter doe make any lease or graunt vnder

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graunt or cõmon Seale, or otherwise for terme of yeares, or lyfe, of the scite, circuite, and precinct of his said monasterie, or ecclesiasticall house or place, or of any part thereof, or of any manors, meluages, lands, or other hereditaments belonging to hys said monasterie or ecclesiasticall house or place, which manors, messuages, granges, lands &c. or other hereditamẽts, were not before the same lease, commonly vsed to bee let to ferme, but reserued in the ferme, tillage, or occupation of the saied gouernor or gouernors, for ỳ maintenãce of Hospitalitie & good house keping, or now in ỳ manurãce, tillage, or occupatiõ of ỳ said gouernor or gouernors, for the maintenaunce of hospitalitie &c. Or within one yere before the first day of this Parliament hath made or hereafter shal make any lease or graunt for terme of life, or for terme of yeres of any manors, meeses, lands &c. or other hereditamentes thereof and in the which any estate or interest for terme of life, or yeares, at the tyme of the making of any such graunt or lease then had his beeing or continuance, or hereafter shal haue his beeing or continuance, and then was not determined or expired, nor ỳ time of any such lease to be made shal not be determined or expired. Or within one yeare next before ỳ first day of this parliamẽt hath made or hereafter shall make any lease or graunt for terme of life, or for terme of yeares, of any manors, meluages, landes or other hereditamentes vppon the which leases and graunts the olde and olde rents and fermes accustomed to be yelden & reserued by the space of xx. yeares, next before the first day of this Parliament, is or be not, or hereafter shal not be thereuppon reserued or yelden, Or within one yeare, next before the first day of thys Parliament, hath made, or hereafter shal make, any bargaine, or sale of his woodes, which woodes be yet growing and standing, thẽ or euery such lease, grant, bargaine, & sale of woodes shalbe vtterly void. 31. H. 8. 13.

Leases in reuersion.

Leases not reseruing the olde rent.

Woodsales.

¶ All feoffements, fines, and recoueries had, made, knowledged, or suffered, within one yeare next before ỳ first day of thys Parliament, or hereafter to be made, knowledged &c. by any Gouernors or Gouernelles of any Monasterie, or other religious or ecclesiasticall house or place, which hereafter shalbe dissolued, suppressed, or come to ỳ king, without the kings licence vnder his great seale, of any manors, mæses, lands, tenements, or other hereditaments, which ỳ said Abbots, & other Ecclesiastical Gouernors and Gouernelles, or any of thẽ or any of their predecessors had or held in right and holde of the gift, graunt, and confyrmation of the kyng, or any of hys progenitors, or of the whych Monaste-

Assurance of lands without the kynges licence.

ries

ries, or ecclesiasticall houses, the kynge is founder, or patron or which manors, meeses, or hereditamẽts, were or be of the ancient Foundatiõ or possession of ẏ same monasteries, Abbathies, Ecclesiasticall houses or places, shalbe vtterly voyd. 31. H. 8.

¶ In the same Statute the lyke puruiew was made in euery respect, to auoid al leases of lãds not vsually let, leases in reuersion, leases not reseruing the old rent, sales of woodes, assurances of landes of the kinges gift, or auncient foundation without the kings licẽce, made by any Abbots or Gouernors of any Religious houses, which were before the making of the said Statute dissolued within one yeare next before the dissolution or coming to the Kings hands of the same houses.

Leases made within the yere to the olde lessees.

11 ¶ But if any Abbot, Prior, or Abbesse, Prioresse, or other Gouernor or Gouernesse aboue said, within one yere next before the first day of this Parliament, or if any late gouernor or gouernesse &c. within one yere next before any such dissolution or cõming to the King of the Premisses, haue made any demise, lease, or graunt to any person for terme of yeres, of any manors, meses, landes, or other hereditaments aforesaid, which person at ẏ time of ẏ said demise &c. had ẏ same to terme, for terme of yeres then not expired. Then the said person to whom any such demise &c. hath been made, shal haue the same for terme of xxi. yeres, onely from the time of the making of the saide demise &c. if so many yeres be in the same demise &c. limitted & expressed, or els for so many yeres as in such demise bene expressed, so that the old rent bee therupon reserued, and so that the same lease exceede not xxi. yeres. And if any Abbot, or other late Gouernor or Gouernesse, within one yere next before any such dissolution or comming vnto the Kinge of Premisses, haue made any demise, lease, or graunt, to any person or persons for terme of life or liues, of any manors, meeses, landes or other hereditaments aforesaid, which person or persons, or any of them, at the time of the said demise, lease or graunt had & held the same for terme of life or liues, or for terme of yeres then not expired, Then the said person or persons to whõ any such lease or grant hath bene so made, shal haue & hold the same for terme of their life or liues, so that the olde rent be therupon reserued.

Lease for life to the old lessee.

Graunts by copy.

And all other guler leases and graunts made by copie to any person or persons of any of the saide messuages, landes, tenements, &c. or other hereditaments aforesaid, for terme of life or liues, which by ẏ custome of the countrie hath ben vsed to be demised, letten or graunted by copie of court rolle, shalbe good & effectual in the lawe, so that the olde rent be reserued by and vpon euery such lease & leases. &

&c. notwithstanding, 31. H. 8. 13.

12 ¶ Prouided alwaies, that al leases heretofore made of any Leases allowed and inrolled in the court of Augmentatiõs
premisses, by auctoritie of the kynges court of augmentaty-
. And al such leases, feoffements, and woode sales made by
said Gouernors or Gouernelles vnder the Couent or common
e of any of them, within one yeare next before the dissolutyon
comming to the king of the said Monasteries or Ecclesiasticall
es, which said leases, graunts, feoffements, and woodsales,
bene examined, inrolled, decreed, or affyrmed, in the kings
t of Augmentations, And the decree of the same put in writing
o with the seale of the said court, shal be good & effectuall, accor-
g to the same decree, any clause in this act &c. notwithstanding.
. H. 8. 13.

13 ¶ All persons their heires and assignes which sithence the Assurances to others by the kings licẽce.
urth day of February (yt. in An. 27. H. 8.) by Licẽce, Par-
, Confirmation, Releasle, Assent or Consent of the kinge vnder
great seale heretofore guen or made, or hereafter to be had or
e, haue obtained or purchased by Indenture, Fine, Feoffemẽt
merie, or other wise of the said late Abbots, Priours &c. or o-
Gouernors or Gouernelles, of any such Monasteries, or o-
Ecclesiasticall houses, any Monasteries, Priories, Colleges,
itals, Manors, Lands, or other hereditaments, shall haue &
y the same according to such writings and assurances as bene
l before the first day of this Parliament, or hereafter shal be
n made. Sauing to euery person and persons and bodies po- Other mens right saued.
, their heires and successors (other then the said late Abbots
sles and the successors of euery of them, and such as pretende
founders, patrons, or donors, of the said Monasteries or of
l them, or of any manors, messuages, or other hereditamẽts
longing to any of them, and the heires, and successors of eue-
h founder, patron, or donor,) all such right, title, interest, pos-
n, rentes, &c. and other profites, which any of them haue,
l or mought haue had, in or to any ỹ said monasteries or other
itaments at any time before any such purchase, Indentures,
feoffements, recoueries &c. 31. H. 8. 13.

¶ Anno. 37. H. 8. 4. it is enacted, that al Colleges, Frẽchap- All Colleges Chaũtries &c. in the dispositiõ of king. H. 8.
Chaũtries, Hospitals, Fraternities, Brotherhoodes, Guildes
pendarie Pristes, made to haue continuaunce for euer, and
ght to be contributorie to the paymẽt of the first fruites and
s, And all the mansion houses, manors, landes, tenements
ther hereditamentes, whatsoeuer they bee appertaynings
t did appertaine, or were appointed to any such College &c.

or other

or other the said promotions, or to any of them, or knowne or taken as parcell or member of any of them, and to the said Colleges &c. or to any of them vnited, which betwene the fourth of Februarie Anno 27. H. 8. and 15. Decembris. 37. H. 8. by reason of any entrie, expulsion, bargaine, sale, feoffement, fine, recouerie, lease, other conueyance thereof had, or made, be dissolued, relinquished or extincted (other then such of them as nowe bee or were in the possession of the kinge, or that bene graunted or assured by his licence, consent or letters Patents to any other personnes, or haue been lawfully recouered by any person, by any former right wythout fraude or couin, or by the Kynges lycence) shal from hencefurth be adiudged, and also bee in the actuall and reall possession of the Kynge and of his heires and successors for euer, in as ample manner as the said Priestes, Wardens, Maisters, Ministers, Couernours, Rulers, or other incumbents or any of them, or the Patrons, Donors, or Founders of any of them, at any tyme thence the said fourth of Februarie. 27. H. 8. inioyed or nowe inioyeth the same, and as though al the said Colleges, Chauntries, Hospitalls, Freechappels, Fraternities, Brotherhodes, Confraternities & other the said promotions, and the said manors, lãds, tenements, hereditaments, and other the premisses and every of them, were in this act perticularly and certainely named by expresse words. 37. H. 8. 4.

All Colleges Chauntries &c. geuen to king Edward the 6. 4. Nouemb. Ao D. 1547.

15 ¶ All Colleges, Freechappels and Chauntries hauyng being, or in Esse, wythin fiue yeares next before the first day of thys Parliament (being the fourth of Nouember, Anno Domini 1547.) which were not in actuall and reall possession of the late Kynge Henry the eight, nor of ỳ Kyng that now is. (by. C. 6.) nor excepted in the said former act of 37. H. 8. other then such as by the kings commissions shalbe transposed or chaunged, and al manors, lands, and other hereditaments belonging to any of them. And also al manors, lands and other hereditaments by any manner of assurance, will, deuise, or otherwise suffered, knowledged

Finding of a Priest to continue for euer.

giuen or appointed to the finding of any Priest to haue continuance for euer, & wherewyth any Priest was maintained at any time within fiue yeares next before ỳ first day of this parliamẽt, which were not in the actuall and reall possession of the said late Kyng nor of ỳ king that now is. And also al annuall rentes & profits at any time within fiue yeares next beefore the bẽginning of this Parliament, imployed towarde, or for the maintenaunce of any stipendarie Priest, intended by any act or wrytunge to haue continuance for euer, shall immediately after ỳ feast of Easter next comming

comming (being 1. Aprilis, An. Do. 1548.) be adiudged and also be in the very actuall and real possession and seisin of the kinge, his heires and successors for euer, without any office or other inquisition thereof to be found, and in as ample maner as ỹ Priests, Wardens, Maisters, Ministers, Gouernors, Rulers, & other incumbents of any of them, at any time within fiue yeres next before the beginning of this Parliament, inioyed, or now inioyeth the same, and as though all the said Colledges &c. and the sayde lands, tenements, hereditaments, and other the premisses & euery of them, were in this Acte particularly rehearsed by expresse names. But this act shall not extend to any lands, appointed for the finding of any chauntrie, or stipendarie Priest, which by any former & good title, were lawfully recouered from any such Priest before 1. Octob. 37. H. 8. which landes were not chargeable to the payment of the perpetuall Tenthe. 1. Ed. 6. 14.

Landes recouered frō a Priest or Chauntrie.

16 ¶ Where any lands, tithes, pensions, portions, rents, profites, or other hereditamentes, by any assurance, will, deuise, or otherwise, at any time heretofore made, were gyuen, or appoynted for the maintenance or finding of one Priest, or of diuers Priests for terme of certaine yeres yet continuing, & that any priest hath bene maintened or found with the same, or with the profits therof, within .x. yeres last past: The king from ỹ said feast of Easter next comming shall haue in euery behalfe, during al such time to come, euery such thinges, tenements, hereditaments, & profits, as the priest or priestes ought or should haue had, for, or towarde hys or their maintenaunce, and for no longer time, nor for any other profit thereof to be taken. And as sone as the time assigned for ỹ maintenance of the priest or priestes shalbe expired, Then it shalbe lawful to euery person, to whom any manors, landes, & other hereditaments should haue belonged, if the said former act & this act had neuer bene made, to enter into, and enioy the same, wout any Luery, Ouster le maine, Petition, or other suite to be made to the king, in like maner to al intents, as though the said former act, & this act had neuer bene made, & as though the king had neuer had any seisin or possession thereof. And the kinge shall haue all such goods, cattels, Iuels, Plate, ornaments, & other mouables which were or be the common goods of euery such Colledge, Chauntrie, Free chappell, or stipendarie Priest, belonging to the furniture of the same, the property whereof was not chaunged before the viij. day of December, An. Do. 1547. And al such debtes, as should be payed of the goodes of any of the sayd Colledges &c. due by any contracte, specialtie, or promise, made before the said eight day,

Finding of a Priest for certaine yeres.

The goods of chauntries, free chappels, &c.

The debts of chauntries, free chappels.

shalbe payed by the Treasourer of the Court of Augmentations. 1. Ed.6. 14.

Annuersaries, obites, lampes lightes.

17 ¶The King, his heires and successours from the sayde feast of Easter, shall haue and enioy for euer, all landes, tenementes, rentes, and other hereditamentes, which by any maner of assuraunce, will, deuise, or otherwise, at any time heretofore made, were gyuen or appoynted to goe, or be imployed wholy to the finding or maintenaunce of any annuersarie, or obyte, or other like thing, or of any light, or lampe in any Church or Chappell, to haue continuance for euer, which hath beene kept or mainteyned within fiue yeares next before the first day of thys Parliament. But it shall not be lawfull to any person bodie politique or corporat, by reason of any remaynder, vse, or condition, to enter into, or challenge any landes, tenementes, or hereditaments, for the not doing, not naming, or not finding of any priest or priestes, or poore folkes, obite, annuersarie, light, or lampe, to be founded or done. 1. Ed.6. 14.

No recouerie for default of obites, lampes lightes.

Part of the issues of landes gyuen to the finding of obites &c.

18 ¶Where but one part of the reuenues of any landes, or other hereditamentes, hath by any of the wayes aboue said, beene appoynted to be bestowed to the mayntenaunce of any annuersarie, or obite, or other like thing, or of any light or lampe in any Church or Chappell, and to haue contynuance for euer: Then the King shall from the saide feast of Easter for euer, haue and enioy euery such summes of money, that in any one yeare, within fiue yeares next before the first day of thys Parliament, hath beene bestowed about the mayntenance of any such annuersary, or obite,, or other like thinge, or of any light, or lampe, to hym hys heires and successours for euer, as a rent charge to be payed yearely at the feast of Saint Michaell the Archangell, and the Annunciation of our Lady, by euen portions. And it shalbe lawfull to the King, hys heires and successours for non payment of any such summe of money, to distrayne in the said landes and tenementes of the issues and reuenues whereof, the sayd annuersarie or obite, or other like thinge, or any such light or lampe was mayntained. And for lacke of sufficient distresse therein, by the space of one moneth next after that any of the said rentes should be paied, and be not paied within the said moneth: Then it shalbe lawfull to the king his heires and successors, to enter into and possesse as much of the lands &c. whereof the said rent should be paied, as the rent that should be paied out of the same, shall come to in yearely value, and the same &c. to hold and kepe for euer, or for such estate, as the King hys heires and successors, had, or ought to haue

had

paid in the sayd rent. 1. Ed. 6. 14.

19 ¶The King, his heires and successours, shall from the sayde feast of Easter, haue and enioy all such summes of money, profites, and commodities, which by vertue of any conueyance, compositiõ, will, deuise, or otherwise, heretofore haue bene giuen or appoynted to haue continuance for euer, which in any one yeare, within fiue yeares next before the beginning of this Parliament, haue bene bestowed by any Corporation, guyldes, fraternities, companyes, or fellowshippes of misteries, or any of them, or by the Maisters, Wardens, Gouernors, or other officers, or by the Maister &c. of any of them, about the maintenance of any Priest, annuersarie, obite, lampe, or light, or other like thing to be payed yearely, as a rent charge at the feast of Saint Michaell, and the Annunciation of our Lady, by euen portions. And it shal be lawfull to the king, his heires & successors for non payment of any such summe of money, profit, or commoditie, to distraine in al the manors, lands, & tenements of euery such craftes, corporations &c. or any of them, by whom, or by the wardẽs, maisters &c. of the which, any such summe of money, profit, or cõmoditie haue bene paied or imployed. And euery of the said summes of money profits & commodities, shal from the said feast of Easter, without any inquisition or office to be found, be iudged to be in the actual & reall possession of the king &c. 1. Ed. 6. 14.

Money gyuen to the findingof a priest, obite, light, lampe, by a Corporation.

20 ¶The King shal from the said feast of Easter, haue & enioy to him, his heires and successors for euer, all fraternities, brotherhodes, and guylds, being within any of his dominions, and al manors, lands, tenementes, & other hereditaments, belonging to any of them, other then such corporations, guyldes, fraternities, companies, & felowships of misteries, or craftes, & the manors, lands, tenements, or other hereditaments, pertayning to them aboue mencioned. And the same shalbe iudged in the actuall & reall possession of the King, his heires and successors, from the said feast of Easter for euer, without any inquisition or office thereof to be found. 1. Ed. 6. 14.

Fraternities, brotherhoods, guildes, giuen to the king.

21 ¶This Act shall not extend to any Colledge, Hostell, or Hall, being within either of the vniuersities of Cambridge and Oxforde, nor to any Chauntrie founded in any of the Colledges, Hostels or Halles, being in the same Vniuersities, nor to the free Chappell of Saint George, situat in the Castell of Windsor, nor to Saint Mary Colledge of Winchester, besides Winchester, of the foundation of Bishop Wickham, nor to the Colledge of Eaton, nor to the Chappell in the Sea in Newton, within the Isle

Colledges and chauntries within the vniuersityes. Windsor colledge. Winchester colledge. Eaton colledge. Chappell in the Sea.

of Elye, in the County of Cambridge, nor to any manors, lands, tenementes, or hereditamentes, to any of them belonging. Nor to any Chappell ordeyned for the ease of the people, dwelling distant from the Parish Church, or such like Chappell, whereunto no more landes or tenementes, then the Churchyarde, or a little house, or close doth belonge. Nor to any Cathedrall Church, or Colledge, where a Bishoppes Sea is, within Englande, or in Wales, nor to the landes, tenementes, or other hereditamentes of any of them, other then to such chauntries, obytes, lightes, and lampes, or any of them, as at any time within fiue yeares, next before the beginning of this Parliament, haue bene had, vsed, or maynteyned, within any of the said Cathedrall Churches, or the issues, reuenues, or profites of any of the said Cathedrall Churches, to which chauntries, obites, lightes, and lampes, thys Acte shall extend. And the King at any time (during his life) may alter the names of all Chauntries, and the foundations of the same, being in any of the colledges, hostels, or halles, of any of the sayde Vniuersities. And also may gyue authoritie to certaine Commissioners, to alter the nature and condition of al obites, as well within the Vniuersities of Orforde and Cambridge, as in any other place within England and Wales, being not suppressed ne adnihilat by vertue of this acte, and the same obites so altered to dispose to a better vse, as to the relefe of poore Studentes, or otherwise. Neither shall this act be preiudicial to the generall corporation of any City, Borough, or Towne within any the kings Dominions. Ne shall extend to any the lands, or hereditaments of any of them. Nether shal this act preiudice the Lord Cobham &c. concerning the late Colledge of Cobham in Kent, or the lands thereof. Neither shall it extend to the Chauntrie or Colledge of Artilborough in Norfolke which King H.8. gaue to the Earle of Suffer and his heires. 1. Ed. 6. 14.

Chappel of ease

Cathedral churche or colledge.

Corporations of Cities, Boroughes &c,

Cobham. Artilborough.

22 ¶This Act shall not extend to any landes, or other hereditamentes, which the sayd Maisters, Wardens, Ministers, Chauntrie Prieistes, Incumbents, or other the sayd Gouernors, or Officers of the premisses, haue in fee simple, fee tayle, generall, or speciall, for terme of life, terme of yeares, or otherwise to their owne proper vses, by inheritaunce, or purchase, and not being at any time annexed to their said Colledges, free Chappells, Chauntries, or other the premisses. Nor shall extende to any manors, landes, tenementes, possessions, rentes, annuityes, and yearely pensions, or to any yearely summes of money being not parcell of any the said Colledges, and other the premisses hereto-

Lands whereof the gouernors were seised to their own vses.

fore

tyes gyuen by the said late kinge, or gyuen or hereafter to be gyuen by the king our soueraigne Lord (viz. Ed. 6.) to any of the said Deanes, Maisters, Wardens, Ministers, Chauntrie priests, Incumbentes, Gouernors, or Rulers of the premisses, for terme of life, onely vnder his great seale or other seale. 1. Ed. 6. 14. Pensions, rets, summes of money gyuen by the king.

23 ¶ Neither shall this Act extend to any landes, or other hereditamentes that any Maister, Deane, Prebendarie, Warden, or Chauntrie, or any stipendarie Priest of any Colledge, or other corporations, haue or holde of any person, by copy of Court rolle, or at will, according to the custome of any manor, nor gyue any copyhold landes to the King, but euery of the saide persons shall enioy the same during their liues, towardes their pension, & yerely yeuing, paying their rents and doing their customes and seruices thereof due. 1. Ed. 6. 14. Copyhold lands.

24 ¶ Sauing to all persons bodies politique and corporate, their heires and successors (other then the Maisters, Wardens, Ministers, Gouernors, Rulers, Priestes, Incumbentes, Fellowes, and Brethern of the saide Colledges, Chauntries, free Chappelles, and other the premisses, gyuen to the King by thys Act, and the successors of euery of them, and other then such as be, or pretend to be founders, patrons, or donors of the premisses, or any of them, and the heires, successors, and assignes of euery of them, and other then such as be or were feoffées, recouerées, conisées, graunteés, or deuisees of any of the premisses, to, or for any of the vses aboue mentioned, or to the vse of any of the sayd colledges, free chappells, chauntries, or other the premisses, gyuen by this Act to the king, or to the intent to imploy the rentes or profits thereof, to the vse of the maisters, rulers, incumbents, or ministers, of any of them, and other then such as pretend to haue estate, right, title, interest, vse, possession, or condition, of, in, or to the premisses or any parcel thereof, by reason of any feoffement, fine, bargayne, & sale, or by any other meanes, or conueyance to them made of any estate of inheritance, without the said late kinges licence, or agreement, and without the licence or agreement of the kinges maiestie that now is, by any of the said deanes, maisters, wardens, gouernors, rulers, priestes, or incumbentes, or by the founders, donors, or patrons of any of them) all such right, title, claime, possession, interests, rentes, annuities, commodities, commons, offices, fées, leases, liueries, liuynges, pensions, portions, tithes, dueties, and other profittes, which they or any of them lawfully haue, or of right ought to haue, or might haue had in any of the premisses, or in any parcell thereof, in such like maner, to all Other mens rights saued.

intents, as if this act had neuer bene made, and as though the said Chauntries, Colledges, and other the said promotions, had still remayned in their full being. And sauing to euery patron, donor, founder, or gouernor of any such Colledge, chauntrie, free chappel stipendarie priestes, and other the premisses, giuen to the king by this act, and the donor, feoffor, and giuer of the forsaid landes, tenementes, or hereditamentes to them, or any of them, or to any vses or purposes before mencioned, al such rent seruices, rents secke, rents charge, fees, annuities, profits, and offices, and alle leases for terme of liues and yeares, whereupon the accustomed rent or more is reserued, as they or any of them lawfully had and inioyed of any the said promotions, or out of any the sayd landes, tenementes, or hereditamentes, before the first day of this parliament. 1. Ed. 6. 14.

All rents reserued.

25 ¶As well euery patron, donor, founder, and giuer of any of the said promotions or premisses, or gyuer, donor, or feoffor, of any their landes, or other hereditamentes, as euery person which before the making of this act lawfully had any rent or other yerely profites of any Chauntries, Colledges, free Chappelles, or other the premisses, or out of any landes, or other possessions of any of them, shall inioy the same in like maner, as they ought to haue done, if the said colledges &c. and other the premisses, had still continued in Esse. 1. Ed. 6. 14.

Leases not reserning the old rent.

26 ¶If any of the said maisters, wardens, ministers, rulers, gouernors, priestes, incumbentes, or owners of any such colledge chauntrie, free chappell, or of any the premisses gyuen to the kyng by thys acte, sithen 23. Nouemb. in 37. H. 8. haue made any leale vnder their common seale, or otherwise for terme of yeres, life, or liues, of their sayd colledges, chauntries, free chappels, or of other the premisses, or of any landes or hereditamentes to any of them annexed or appertayninge, vppon the which leases the vsuall and olde rentes and seruices accustomed to be yelded and reserued, or more, by the space of twenty yeares next before the sayde 23. day of Nouember, be not reserued and yealden, the same shalbe vtterly voyde. And al other leases and grauntes heretofore made, of any the premisses gyuen to the king by this act, shalbe as good and effectuall in the lawe to all intents, as if this Acte had neuer beene made, this act or any other acte &c. notwithstanding. 1. Ed. 6. 14.

Al other leases good.

27 ¶All such tenthes, seruices, issues, profites, and other summes of money payable out of, or for the premisses in the Exchequer shall continue, and be yearely paied in the same Court, in the same

same maner, as heretofore hath béene vsed, any lawe, custome, matter of possession in the king or other thing &c. notwithstanding, and as though the said promotions, landes, and other the premisses, had not come to the kinges handes. 1. Ed. 6. 14.

28 ¶ All letters patentes made by king H. 8. or by the kinge that now is, or hereafter to be made by his highnesse to any person, or to any Archbishoppe or Bishoppe, of any of the said Colledges, Chauntries, Free chappelles, or other the premisses, or any parcell of them, or of any landes, tenementes, or hereditaments, belonging, or that did belong to any of them, and al fines gifts, grauntes, feoffementes, recoueries, and all other assurances thereof made, by the consent or licence (vnder the great seale of Englande) of the said late king H. 8. or of the kinge that now is, to any person, body politique or corporat, by any chauntrie priest, master, warden, minister, ruler, and gouernor, or other, hauing any of the sayd promotions of any of the said colledges, chauntries, free chappelles, or other the premisses, or of any part of the same, shall stande in their force, and shalbe good and effectuall in the law for such estates and interestes gyuen or appointed in any of the giftes or conueyaunces thereof made, according to their purportes, fourme, and matter, and according to the true meaninge of the same assurances, and shalbee good and auaylable as well against the kinge, his heires and successors, as against the said Chauntrie priestes, Wardens, Masters, Rulers, Gouernors, and other hauing any of the said promotions, and their successors, as also against the founders, donors, and patrons of the same, and the ordinarie of them, and the heires and successors of euery of them, any lawe, statut &c. notwithstanding. 1. Ed. 6. 14.

Assurances made by the king, or by his licence.

29 ¶ All giftes and grauntes heretofore made, to the sayde king H. 8. and to his heires, or to the king that now is, and to his heires, by any Archbishop, Bishop, Deane, Archdeacon, Treasurer, Prebendarie, Master, Prouost, Gouernour, or other spirytuall person, or by any patron, donor, or founder of any of the said Deanryes, Chauntries, or other of the said spirituall promotions, or of all or any of the manors, landes, or other hereditamentes or commodities, to any of the saide benefices, offices, prebendes, or dignities belonging or annered, or which any of the said Archbishoppes, Bishoppes, Deanes, Archdeacons, Treasurers, Masters, Prouosts, Prebendaries, Rulers, Gouernors, or Ministers, patrons, Founders, or Donors, had, haue, or ought to haue in right, or by reason of any of ỳ same offices or dignities shalbe

A confirmation of all grauntes made to the king.

Other mens rights saued.

good and effectuall in the lawe to all intentes. Saning to euery person &c. (other then the Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Prebendaries, Rulers, Gouernors, Wardens, Prouostes, Gyuers, and Graunters of any of the premisses, and their heires, successors and assignes. And other then such Ecclesiasticall persons, bodies, politique or corporat, as are, or pretend to be founders, donors, patrons, or ordinaries of the premisses) all such rightes, titles, profites, landes, tenements, and hereditaments, as any of them haue, or ought to haue had, in, or to any of the premisses next aboue mencioned, as if this act had not bene made. But this Act shall not extend to make good any gift, graunt, sale, or alienation, made by any Parson, or Vicar of their parsonages or vicarages, or of any parcell thereof, or of any thing to any of them belonging. 1. Ed. 6. 14.

Parson Vicar.

A confirmation of letters patents made by king H. 8. and king Ed. 6.

30 ¶ All grauntes, licences, confirmations, and letters patentes, which king H. 8. or the king that now is, haue made vnder the great seale of Englande, to any person or persons, or bodies politique or corporat of any Colledge, Chappell, or Chauntrie now being in Esse or not, or of any landes, tenementes, and hereditaments appertayning to any of them, or of any other thing expressed in this Act: And euery matter and thing contayned in any such graunt, licence, confirmation, or letters patentes shalbe adiudged good and effectuall in the law, according to the wordes, sentences, meaninges, forme, and effectes of the same graunts &c. to all intentes, as if this act, and the said act made (37. H. 8.) had neuer beene made. And this act, and the said act made 37. H. 8. or any article, sentence or other thing therein contained shall not extende to any Colledges, Chappels, Chauntries, or other thinges mencioned in thys Act, now being in Esse, or not, or to any landes, tenementes, or hereditamentes appertayning to any of them, or to any other thing expressed in this act, which any person, bodie politique, or corporat, haue obtayned by the assent, licence, confirmation, graunt, or letters patentes of the said late king, or of the king that now is: Nor shall extend to any landes, tenementes, hereditamentes, or other thinges contayned in any such letters patentes &c. but euery such person &c. shall haue and enioy the same Colledges &c. landes &c. and euery other thing whatsoeuer, so by them obteyned, according to the wordes and intent of the same licences, confirmations, grauntes, and letters patentes. This Act or the said Act made 37. H. 8. or any clause or thynge contayned in any of the same Actes &c. notwithstanding. 1. Ed. 6. 14.

This extendeth not to landes graunted by the king.

31 ¶ Allwel

A confirmation of al abbes, chauntrie &c. landes to the Queene and other persons.

31 ¶ Aswel the Quéenes maiestie her heires and succeſſours as also al and euerye other person and persons, bodyes politique and corporat, their heires, succeſſours and assignes, nowe having, or that hereafter shall haue any of the Scites of the late monasteries, or other religious or eccleſiasticall houses or places and the Manours, Graunges, Melluages, landes, tenementes, tithes, &c. and other possessions and hereditamentes of the sayed late Monasteries, Abbies, Priories, Nunneries, Commanderies, Deanries, Colledges, Prebendes, Hospitales, houses of friers, Rectories, Vicarages, Chauntries, Churches, Chappells, Archbishoprickes, Bishoprickes, and other religious and eccleſiastical houses, or late belonginge or appoynted to and for the finding of Prieſtes, obites, lightes, or other like purpose, or any of them which came to the handes of the late Kinge H. 8. by diſſolution, gift, graūt, surrender, attainder, or other wiſe, or to the handes of Kinge Ed. 6 by vertue of the forsayed act made. 1. Ed. 6. or otherwiſe, or to the handes and possessions of other persons &c. by sundrye means and assurances, shall haue kéepe and inioye all and euerye the sayed Scites, landes, tenementes, and other hereditamentes according to such estates as euerie of them nowe haue, or hereafter shal haue in the same by the due course of the lawes and statutes of thys Realme, nowe in force. And euerie artycle, clause, sentence, and prouiso, conteined in any act, or actes of Parlyament, concerning the assurance of the sayed Monasteries, Priories, Colledges, Chauntries &c. and other religious and eccleſiasticall houses and places, or in any wiſe concerninge any manours landes &c. or other thinges before specified to the said kinge Henry the eight, or king Edward the sixt, or any other person or persons, or bodie politique, or corporat, and euery writing, déede, and instrument, concerning the assurance of any of the same, shal remaine in force, and be pleaded, and taken aduantage of, to al intentes, as the same myght or could haue béen by the lawes and statutes of thys Realme. And all feoffementes, fines, surrenders, forfaytures, conueyances, and interestes in any wiſe cõsented, or made, to Kinge H. 8. or to king Ed. 6. or either of thē, or any other person, bodye politique, or corporat by déed, or act of parliament, or otherwiſe, of any the Scites, manors, lands &c. or hereditaments of any of ŷ said Archbishops, Bishops, Monasteries, Priories &c. or of any Manors, lands &c. or any other hereditaments of, by, or from any eccleſiasticall person, or persons, or by or from any spiritual or eccleſiasticall corporation, or bodye politique, shalbe good and auaileable in the lawe to al intents, and shalbe pleaded

pleaded and taken aduantage of: And euery clause and Article of Sauing conteined in euery of the said statuts shal remaine in such force and effect, as they were before the first day of the Parliament holden. 1. and 2. P. and M. any thing conteyned in the act then made, repealing al statutes, articles and prouisoes made against the Sea of Rome since the twentith yeare of king H. 8. in any wise notwithstanding. And whosoeuer shall, by proces conteyned out of any ecclesiasticall court within this realme, or without, or by pretence of any spiritual iurisdiction, or otherwise, contrarie to the lawes of this Realme, molest any person or body politique, for any of the landes, tenementes, hereditamentes, or other thinges aboue specified, contrarie to the wordes, sentence, and meaning of this act, shall incurre the daunger of the acte of Premunire, made 16. Ric. 2. and shall suffer and incurre the forfaytures, and paynes conteyned in the same. 1. & 2. P. & M. 1. El. 1.

1 That religious persons professed, vvere inabled to inherite, purchase, sue, and to be sued. S. Abilitie. 3.

2 That those Abbey lands, vvhich vvere discharged of tithes shal so remaine. S. Tithes. 42.

3 That all religious houses shalbe vvithin the visitation of the ordinarie vvithin vvhose dioces they are situat. S. Ordinary. 3

4 For the tenthes reserued vpon Abbey landes & the remedie for recouerie of them. S. Tenthes.

5 For tenures reserued vpon Abbey landes. S. Tenures. 4. 5.

¶Money.

Giuing or receiuing for money more then it is currant.

WHosoeuer doth exchange any coigned Gold, coigned siluer, money, giuing, paying, or receiuing any more in value, benefite, or aduantage for it, then the same is or shalbe declared, by the Queenes proclamation to be currant for within this Realme, or other her graces dominions, shall forf. the same Gold, Siluer or money, to the Q. & I. to be recouered by A. I. &c. wherein no E. P. &c. & suffer imprisonment by the space of a yeare, & also make fine at the Queenes pleasure 5. Ed. 6. 19. 25. Ed. 3. 12.

Paiment of money to a merchaūt Alien.

2 ¶ If any person inhabiting within this Realme, doth pay or wittingly deliuer by way of exchaūg, or otherwise, to any merchant or other perso, borne out of the Q. obeisāce, for any merchandize, wares, or in any other wise any peeces of golde coined in this realme or any other realme or any plate, vessels, masse, Bullion, Iuel of gold wrought or vnwrought, he shal forf. y double sum

val

tal such money, Golde, plate &c. to the Quéene and J. that wyll
sue or sue for the same, by A.B. &c. after the custome of the City,
port or Towne where it shal happen any forfaiture to fal, or by
formatyon, in the Eschequer, wherein no P. E. &c. 4. H.
7. 23.

Transporting of Gold, or siluer.

3 ¶ Whosoeuer doth sende or carrie out of the realme of Eng-
land, any Golde, or siluer in money, Bullion, plate, or vessel, wout
the Quéenes licence, sauing for his reasonable expences. 2. H. 4. 5.
shal forf. the value of the summe so carried forth. 9. Ed. 3. 1. 5. R. 2.
except raunsomes for fines of Englishe prisoners taken beyond
the sea, and the money that souldiers shal carrie with thē for their
reasonable costs, and money for horses, oxen, sheepe, & other things
bought in Scotland, to be brought and carried to the parties ad-
dressing. So that the money, to be sent for the fines of the said pri-
soners, or to be carried by the souldiers, bée not done without the
Quéenes licence. 2. H. 6. 6. And he which is vpon his passage, in
any shippe or vessel for to goe out of any port, hauen, or Créeke,
shal immediatly confesse and declare after warning to him giuen
by the Quéens Sercheour, what Golde or siluer in coine or masse
he hath with him for his expences, or else that money so conceа-
led shalbe also forf. to the Quéene. 2. H. 4. 5.

Money carried into Irelande.

4 ¶ No person shal carrie nor conuey, nor cause to be carried
out of this Realme any Bullion, plate, or coine of Golde or siluer
into Ireland, aboue the summe of vi. s. viij. d. nor conuey any such
Bullion, plate or coine into any shippe, Boate, or other vessels, vp-
on payne of forfaiture of the said Bullion, plate, or coine, and of
imprisonment, and fine at the Quéenes pleasure. 19. H. 7. 5.

Irishe money brought into England.

5 ¶ No person shal bring or conuey, nor cause to be brought
into any coyne of Gould or Siluer, aboue the summe of iij. s. iiij. d. of
the Coyne of Ireland into this Realme, vppon payne to forfayte
the same Coyne aboue thrée shillinges fowre pence, and to
suffer imprysonment and make fyne at the Quéenes pleasure.
And it is lawful to any of the Quéenes subiects, to seyse the Ir-
ishe money brought into thys Realme, and to bringe it to the
Quéenes mint, and there he shall haue the value of halfe such mo-
ney deliuered to him, to his owne vse, by the Maister of the mint.
H. 7. 5.

Refusing small money.

¶ Whosoeuer in buying and selling, wil presume to refuse
a penie, or a farthing, being of lawful metal, and hauing the
right and fashion which it ought to haue, shall bée taken as a
contemnour of the Quéenes Maiestie, shall be thrust in prison, &
set

ſet vpon the Pillorie. 12. H. 3.

1 For the Forging, clipping, vvaſhing, ſkaling, or bringing in of any forged money. S. Treaſon. 1. 2. 3. 4. 5.

¶ Mordaunceſter.

IF a man doe die and haue diuers heires, wherof one is ſonne or daughter, brother or ſiſter, Nephew or Neece, and the other be further in degrée, al the heires ſhal haue their recouerie by writ of Mordaunceſter. Glouceſter. 6. Ed. 1. 6.

1 VVhere dammages shalbe recouered in Mortdaunceſter. S. Dammages. 12.

2 Mordaunceſter for the heire beinge vvrōgfully kept or put out of his inheritance by his chiefe Lord. S. vvardes. 9.

¶ Mortmaine

Lands purchaſed in Mortmaine.

IF any religious perſon, or other what ſo euer, wil buy or ſel, any lands or tenemēts, or wil receiue the ſame by colour of any gift or leaſe, or by reaſon of any other title whatſoeuer, or wil by other practiſe, or deuiſe, procure the ſame to him ſelfe, wher by ſuch lāds or tenementes may come into mortmaine, hée ſhall forfayt the ſame lāds. Mag. Cart. 9. H. 3. 36. 7. Ed. 1. And if any religious, or other ſpiritual perſon doth take the profits of any lands, tenements, fées, aduowſons, or of any maner of poſſeſſiōs, wherof any other is ſeiſed by feoffement, or any other way to his vſe, to the intent to amortice the ſame, he ſhal forf. the ſame according to the forme of the forſaid ſtatut. 15. R. 2. 5.

Aſſurance of lands to vſes in mortmaine.

The chiefe lord enter vpon alienation in mortmaine.

2 ¶ It is lawful for the Quéene, or any other chiefe Lorde of the fée immediate to enter into the land ſo aliened, within a yeare after the alienation, and to holde it in fée as his owne inheritance. And if the chiefe Lorde be negligent, and wil not enter into his fée within the yeare, then it is lawful to the next immediat Lord of the ſame fée, to enter vppon the ſame fée within halfe a yeare the next following, & to holde it is as aforeſaid. And ſo euery chiefe Lord immediat may enter vppon the ſame fée, if the nert immediat Lorde be ſlacke in ſo doing. And if al the chiefe Lordes of ſuch fée being of ful age, within the lower Seas, and out of priſō, be negligent, or ſlacke in their entrie, by the ſpace of a yeare and a half the Quéenes maieſtie may take the ſame lands, or tenemēts into her hands immediatly after the yeares end, that ſuch purchaſe

The Queenes entrie.

gift

...es, or appropriations shalbe made, and shal enfeoffe sōe other ...rson, by certeine seruices to be done to her for the defence of the ...realme, sauing to the chiefe lords of ỹ fees their wardes, Eschetz ...and other seruices thereunto due and accustomed. 7. Ed. 1.

Landz imployed to a Churchyard or giuen to a Guilde.

3 ¶If any religious person, Vicar or other spiritual person ...eth enter into any landes or tenementes which be adioynynge ...his Churche, and of the same landes by sufferaunce, and assent ...of the tenants, doth make a Churchyard and burial place for his ...parishe, without the licence of the Quéene and the chiefe Lorde ...of the fée, it is mortmaine, and he is within the compasse of ỹ forfeyte ...of statut. And so is it of al landes tenementes, and other possessions, purchased to the vse of any Guildes or fraternities. 15. Richard. 2. 5.

Lands purchased to the vse of a Corporation.

4 ¶If any Maior, Bailife, and Commons, of any City, Borough or towne which hath a perpetual cōminalte, or other which hath an office perpetual, doe purchase to them and their commons, or to them and their office, or if any other doe purchase to their vse, so they thereof take the profites, it is mortmayne, and they ...within the daunger of the forsaid statut of 7. Edwardi. 1. 15. 2. 5.

Mortmaine vpon recouery by default.

5 ¶If a religious or Ecclesiastical person do impleade any o... the partie impleaded, maketh default whereby he ought to ...ỹ lande, it shalbe inquired by the countrie, whether the demaū... had right in the thing demaunded, or no, and if it be found ỹ ...demaundant had right, Iudgement shal passe with him, and he ...recouer seisin. And if he hath no right, the land shal accrue to ...next lorde of the fée, if he demaund it within a yere after ỹ Enseisit taken. And if he doth not demaund it within a yere, it shall ...crue to the next lord aboue, if he demaund it within halfe a yere, ...the same yere, And so euerie lord after the next Lord immediate, shal haue halfe a yere to demaund it successiuely, vntil it cōe ...to the Quéene, to whome through the default of other Lordes the ...same shal accrue, And after iudgement giuen, the lande shall remaine in the Quéenes hand, vntil it be derained by ỹ demaundant, ...some other chife Lord. And euerie chiefe Lord of the fée shalbe ...suffered to challeng the Iurors of the enquest, and euerie one that ...may challeng them, for the Quéene. Westminster. 2. 13. Ed. 1. 31.

Challenge.

Assurance of landz to Churches &c.

6 ¶Al Feoffementes, Fines, Recoueries, Willes, and other ...ties, and assurances deuised, couenaunted, or deined, or in any ...made of trust, of any Manors, lands, tenements, or hereditaments to the vse of any Parishe Churches, Chappelles, Churchwardens

wardes, Guilds, Fraternities or Brotherhodes, erected of
of deuotion, or by common assent of the people without any
ration, or to the vses and intents, to haue obites perpetual, or
tinual seruice of a Priest for euer, or for iij. score or foure score
founde of the profits of the same lãds &c. or that the feoffes,
sées, recouerers, or other persons, and their heires, thereof
shal take leuie or perceiue, or cause or suffer to bee taken leuie
perceiued the issues and profites thereof, and the same to dispo
otherwise imploy, or suffer or cause to be paied disposed or imp
to any of the foresaid vses, or to any of the like vses shalbe vtte
void. 23. H. 8. 10.

Assurance of landes to churches &c. for xx. yeres.

7 ¶ But it is lawful to euerie person, being seised of any
nors, lands, tenements, or hereditaments to his owne proper
or hauing feoffées, Recouerers, or conisées, to his vse, to make
deine or deuise, or cause to be made &c. any of the vses, intents,
purposes aboue specified in such maner as they might haue don
before the making of this acte, so ỹ no such vses &c. be made, or ap
pointed to indure by any craft, wordes or other meanes, abo
the terme of xx. yeres next after the first making and beginning
any such vses &c. 23. H. 8. 10.

Collateral assurãces in defrauding of this statute.

8 ¶ If any person in defraude of this statut, doth binde or
deine any of his heirs or successors, or any other persons that
shal suffer such vses intents or purposes, to continue contrarie
this statut, vpon paine of losse of any other lands, or of any o
thinge, or doe deuise by any colour craft or meanes, any thinge
make such vses declared contrarie to the meaning of this act,
continue for any longer time then is aboue limitted for the la
Then euerie such penaltie craft colour, and euerie other thing
is made or deuised in defraude of this act, shalbe vtterly voide,
this statut shalbe interpreted as beneficially as may bee, to
struction and vtter auoiding of the vses aboue remembred, &
other like. 23. H. 8. 10.

Customes in Cities to deuise in mortmaine.

9 ¶ But this act is not preiudicial to the custome of any C
or town corporat, where by their aũcient customs they haue
thoritie to deuise the lands &c. within the same Cities or To
into mortmaine. Neither shal it be preiudicial to the deuises
by the executors of the willes of Robart Jannis, and John
rie of the Citie of Norwiche &c. 23. H. 8. 10.

Lands giuen for the maintenance of houses of correctiõ or of poore people stockes.

10 ¶ But notwithstanding any of the foresaid statutes,
any other statute, law, or custome, it is lawfull for euery per
which is seised of any Manors, Lands, Tenements, or other
reditaments, in fee simple, in possession, reuersion or remain
holde

den in frée locage of the Quéene or any other person or bodye ...ique in his owne right and to his owne vse, for and during ỹ ... of xx. yeres, (to be accoũted frõ 8. Februarij. An. Do. 1575.) ...ake feoffements graũts or any other assurãces, or by his last ... in writing to giue and bequeath in fée simple, al or any parte ...e said lands tenements or hereditaments to any bodie politi... or corporat, and their successors now erected, or hereafter to ...erected, or to any other persons and their heires, to and for the ...ition, sustentation or maintenance of any of the houses of cor... ...on, or abiding houses prouided for certein offenders, or of any ...es or stores for powre people, wout any licence of mortmaine ...rein to be obteined, or any writte of Ad quod damnum to be su... ...ut for the same. But the rents and seruices due to the Quéene, ... other chiefe Lords of the fée, going out of the same lãds shalbe ...hem saued and reserued. 18. El. 3.

¶ Mortuaries.

¶ No mortuarie, or Corse present, shalbe giuen or demaunded of any person, but only in such place, where heretofore mortua... haue bene vsed to be paied and giuen, Nor any person shal pay ...tuaries in more places then one, that is to say in the place of most dwelling and habitation, and there but one mortuarie. H. 8. 6.

But one mortuarie for any person & that but in accustomed places.

¶ No mortuarie shalbe taken or demaunded of any person whatsoeuer he be, which at the time of his death hath in moueable ...s vnder the value of x. markes. 21. H. 8. 6.

No mortuarie wher the goods be vnder tenne markes.

¶ No person, Vicar, Curat, or other spiritual person, nor any ...eir Farmers, Bailifs or lessées, shal for any person dyinge or ...being at the time of his death of ỹ value in mouable goods ... markes, or more, aboue his debtes paied and vnder the sũme ...li. take for a mortuarie aboue iij. s. iiij. d. in the whole, And ... person being at the time of his death of the value of xxx. li. a... his debts paied in mouable goods, and vnder the value of xl. li. ... shal no more be taken for a mortuarie then vi. s. viii. d. in the ... And for a person hauing at the time of his death of the va... in moueable goods of xl. li. or aboue, to any summe, aboue hys ...s payed, there shal no more be taken &c. for a mortuarie, then ... the whole. 21. H. 8. 6.

The duety for all mortuaries.

¶ No Vicar, Parson, Curat, &c. or other shal take demaund ... any mortuarie, or any other thing by way of mortuaris for any

These shal pay no mortuaries.

any women beinge couert Barõ, noꝛ foꝛ any childe, oꝛ any perſon not kéeping houſe, noꝛ alſo foꝛ any waifaring man, oꝛ other that maketh not reſidence in the place where they ſhal happen to die. But the moꝛtuarie of ſuch waifaring perſons ſhalbe aunſwered (in places where moꝛtuaries be accuſtomed to be paid, & in maner foꝛme and rate befoꝛe mencioned, and none otherwiſe) in the places where ſuch waifaring perſons, at the time of their death, haue their moſt habitation, houſe, and dwellinge places, and no where els. 21. H. 8. 6.

Moꝛtuaries in wales Barwicke and the marches of thẽ.

5 ¶ No moꝛtuaries noꝛ Coꝛſe preſents, noꝛ any ſũme of money oꝛ other thing foꝛ them, ſhalbe demaunded oꝛ had in the parties of wales, noꝛ in the marches of the ſame, noꝛ in the Towne of Berwicke, noꝛ marches of the ſame, but only in ſuch places where moꝛtuaries haue ben accuſtomed to be paied, neither is any moꝛtuaries noꝛ Coꝛſe preſent noꝛ any thing foꝛ them be demaunded oꝛ had in thoſe places, but only after the oꝛder and maner aboue ſpecified, and none otherwiſe, noꝛ of any other perſons then is aboue limitted. But it is lawful to the Biſhoppes of Bangour, Landaffe, Saint Dauides, and Saint Aſſe, and likewiſe to the Archedeacon of Cheſter, to take ſuch moꝛtuaries of the parties within their Dioces, & Juriſdictions, as heretofoꝛe haue ben accuſtomed. 21. H. 8. 6.

Moꝛtuaries of leſſe value by Cuſtome.

6 ¶ No perſon ſhalbe compelled in ſuch places (where moꝛtuaries haue ben accuſtomed to be taken, of leſſe value thẽ is aboue ſaid) to pay any other moꝛtuaries, oꝛ moꝛe foꝛ any moꝛtuarie then hath ben accuſtomed, noꝛ any moꝛtuarie ſhalbe demaunded, taken oꝛ had, an ſuch place of any perſon oꝛ perſõs exempt by this act, cõtrary to this act. 21. H. 8. 6.

The foꝛfait. foꝛ demaundinge moꝛe then his duetie.

7 ¶ If any perſon, Vicar, Curat oꝛ other ſpirituall perſon, their Farmoꝛs, Bailifes, oꝛ Leſſees, doe take receiue, oꝛ demaunde of any perſon within this realme, foꝛ any perſon dying within the ſame any moꝛtuarie oꝛ Coꝛſe preſent, oꝛ any ſũme of money or any other thing foꝛ the ſame, moꝛe thẽ is befoꝛe mencioned, or conuent, oꝛ cal any perſon oꝛ perſons befoꝛe any Judge ſpirituall foꝛ the recouerie of any ſuch moꝛtuaries oꝛ Coꝛſe preſents, or other thing foꝛ ỳ ſame moꝛe thẽ is beforꝛe mencioned, he ſhal foꝛ euery time ſo demaundinge, receiuing, taking, conuenting, calling &c. ſo much in value, as he ſhal take aboue the ſumme foꝛe limitted, & alſo xl. s. to the partie græued, cõtrarie to this act to be recouered by. A. I. &c. wherein no. W. &c. E. P. But it is lawful foꝛ any ſpiritual perſon to take any ſumme of money, or other thing which by any perſon dying ſhalbe giuen oꝛ bequethed

A legacy geuen to a ſpiritual perſon.

thing which by any perſon dying ſhalbe giuen or bequethed vnto him, or to the high alter of the Church. 21. H.8.6.

1 That vvhere mortuaries be demaũded in a ſpiritual Court, the Queenes prohibition doth not lye. S. Prohibition. 1.

2 That fraudulent deedes to defeat others of their mortuaries be void. S. Fraudulent deedes. 1.

¶ Murder, & Manſlaughter.

Eſcape of a murderer.

1 If any perſon be murdered or ſlaine in the day, & the Murderer eſcape vntaken, the Townehip where the ſayde deede is done ſhalbe amerced for the ſaid eſcape. 3. H.7.1.

Murderer arraigned at the Queenes ſuite.

2 ¶ If any man be ſlaine or murdered, & the Slears, murderers, Abbettors, Maintenors, & Comforters of the ſame be indicted therefore, ẏ ſame ſlears & murderers & al other acceſſaries of ẏ ſame, ſhalbe arraigned & determined of the ſame felony & murder at any time, at the Quẽnes ſuit, within the yeare after the ſame felony & murder done, & not tary the yere & day for any appeale to be taken for the ſame felony or murder. 3. H.7.1.

Arraignment of him, which is acquit at the Queenes ſuite.

3 ¶ If any perſon named as principal or acceſſarie, be acquited of any ſuch murder at ẏ Quẽnes ſuit within the yeare & day, then the Juſtices before whom he is acquited, ſhal not ſuffer him to go at large, but eyther ſhall remit him againe to priſon, or elſe let him to baile after their diſcretion, til the yeare & day be paſſed. And if the ſame felons, murderers, & acceſſaries or any of them ſo arraigned, be acquit, or the principal of ẏ ſaid felony or any of thẽ be attainted, The wife, or next heire to him ſo ſlayne as ſhall require, may take their appell of the ſame death and murder, within the yere and day after the ſame felony & murder done, againſt the ſaid perſons ſo arraigned and acquit, and al other their acceſſaries or againſt the acceſſaries of the ſaid principal, or any of them ſo attainted, or againſt the ſaid principals ſo attainted if they be then living, and the benefyte of Clergie thereof before not had. And the appellant ſhal haue ſuch aduauntages, as if the ſaide acquitall or attainder had not beene, the ſayde acquitall or attaynder notwithſtanding. 3. H.7.1.

By whõ, within what time, & before whõ appeal of murder ſhalbe commẽced.

4 ¶ The wife or heire of the perſon ſo ſlaine or murdered, as ſhe ſhal require, may commence their appeal in proper perſon, at any time within the yere after the felony done, before the Sherife Coroners of the Countie where they ſaid felony & murder was done, or before the Quéene in her Bench, or Juſtices of Gaole delyuerie. 3. H.7.1.

Poyſoning.

5 ¶ All wilfull killing by poyſoning of any perſon, is wilfull

murder of malice prepenced, and the offendors, their aydors, abettors, procurors, & counsailors shal suffer death, & lose as in cases of wilful murder of malice prepenced. 1. Ed. 6. 12.

Misaduenture. 6 ¶ It shall not be adiudged murder, where an act is done by misfortune, but murder shalbe intended of them which be felonyously slaine. Marlb. 52. H. 3. 26.

1 That appeale of murder may be commenced in one county, of the death of any person striken or poysoned in an other countie. S. Triall. 1.

2 The declaration in appeale of murder, and within what time it shalbe sued. S. Appeale. 2.

3 Where murder shalbe tried by special commission. S. Treason. 9.

4 That the killing of the Chauncellor, Treasorer, or any Iudge &c. sitting in his place, is high treason. S. Treason. 1.

5 That it is not lawful to slea any person attainted in premunire. S. Premunire. 6.

6 That the appellant in appeale of murder where Battel lieth not, may make an Atturney. S. Atturney. 5.

7 In what sort Coroners shal enquire of murder, and attache the offendors. S. Coroners. 2. 3. 4.

8 In what cases forrestors may slea offendors. S. Forests. 4.

¶ Newes.

Newes to breed discord betwixt the Q. and her subiects. WHosoeuer doth contriue, speake, or tell any false or counterfait newes, wherof discord, or matter, or cause of discord or slaunder may arise betwene the Quéene and her noble men, or people. Or any false newes, messages, lyes, or other such false thinges of Prelates, Dukes, Earles, Barons, & other nobles and Peeres of the realme, or of the Chauncellour, Treasourer, Clerke of ỹ priuy seale, Steward of the Quéenes house, Iustices of the one Bench, or of the other, or of any great officer of the Realme, wherof discord or slander may rise within the Realme, shalbe taken & imprisoned vntil he hath brought forth him which did speake the same. And when he is take & imprisoned, & cannot find him which spake the wordes, then he shalbe punished by the aduise of the Counsell. West. 1. 3. Ed. 1. 34. 2. R. 2. 5. 12. R. 2. 11. 1. & 2. H. 4. 3. 1. El. 7. S. Iustices of peace. 22.

Newes of the Peers or great officers of the Realme.

Newes concerning eating of fishe, or forbearing of flesh. 2 ¶ Whosoeuer shall by preaching, teaching, writing, or open speache notifie, that any eating of fish, or forbearing of flesh mencioned in the statute for those cases prouided, is of any necessitie for the sauing of the soule of man, or that it is the seruice of God, otherwise then as other politike lawes be, shalbe punished as spre-

ders

ders of falſe newes are & ought to be, An. 5. El. 5. S. Fish dayes.

3 ¶ If any perſon ſhal malicioully, of his owne imagination, ſpeake any falſe ſedicious & ſlaunderous newes, rumors, ſayinges, or tales of our ſoueraigne Lady Quéene Elizabeth, or of the heirs of her body, being Kinges or Quéenes of this Realme, Then he being therof conuict or attaint, ſhal for euery firſt offence, in ſome market place in the Shire, Citie, or Borough where, or néere vnto the place where the ſayd wordes ſhalbe ſpoken, be ſet openly vpon the Pillorie by the Sherife or his miniſters, if it ſhalbe without any Citie, or Towne corporate. And if it be within a Citie or Towne corporat, then by the principall officer, or officers of ſuch Citye or Towne corporat, or his or their miniſters, and there to haue both his eares cut of, vnleſſe he pay C. li. to the Quéenes vſe, within one moneth after iudgement giuen of his ſaid offence, and alſo ſhal ſuffer impriſonmẽt by the ſpace of iij. moneths, after ſuch his execution. 1. & 2. P. & M. 3. An. 1. El. 6. Slaunderous Newes of the Q. of his own imagination.

4 ¶ If any perſon ſhal malicioully ſpeake any falſe ſedicious & ſlaunderous newes, rumors, or tales to the ſlander & reproch of our ſoueraigne Lady Quéene Elizabeth, or of the heires of her bodie, being Kings or Quéenes of this realme, of the ſpeaking, or reporting of any other, & ſhalbe thereof conuict, or attainted, he ſhal for euery ſuch offence in ſome market place within the ſhire, City or Borough, where, or néere vnto the place where the ſaid words ſhalbe ſpoken, & reported, be ſet openly vpon the Pillory, by ỹ ſherife &c. or by the principal officer of the citie where &c. or by his or their miniſters, & there haue one of his eares cut of, vnleſſe he pay C. markes to ỹ Quéenes vſe within one moneth next after iudgement giuen of his ſaid offence, and alſo he ſhal ſuffer impriſonmẽt by the ſpace of one moneth after his execution. 1. & 2. P. & M. 3. 1. Elizab. 6. News of other mens reports.

5 ¶ If any perſon ſhall malicioully deuiſe, write, print or ſet forth any maner of booke, ryme, ballet, letter, or writing contayning any falſe matter, clauſe, or ſentence of ſlander, reproche, and diſhonor of ỹ Quéenes Maieſtie, or of any of ỹ heires of her bodie being Kings or Quéenes of this realme, or to ỹ encouraging, ſtirring or moouing of any inſurrectiõ or rebellion wỉn this realme or any dominions belonging to ỹ ſame, or ſhall malicioully procure any ſuch booke, rime, ballet, letter or writing to be written, printed or ſet forth, (and the ſayed offence not puniſhable by the ſtatute, made 25. E. 3. concerning Treaſons) thẽ he being therof conuict or attaint, ſhal for his firſt offence in ſome market place, wỉn the ſhire, city or borough where the ſayd offence ſhalbe cõmitted, by ỹ Slander by booke or writing. S. Treaſon. 1.

Sherife of the county &c. or by the principall officer of such Citie where &c. or by his or their ministers haue his right hand striken of. 1. & 2. P. and M. 3. 1. El. 6.

The second conuiction.

6 ¶ If any person being once lawfully conuict, of any of ỳ offences aforesaid, prouided to bee punished by the execution of losse of eare, eares, or hande, do afterward eftsones offend in any of the foresaid offences, Then he shall suffer imprisonment during his life, without baile or mainprise and forf. to the Queene al his goods & cattels. 1. & 2. P. & M. 3. An. 1. El. 6.

The suit commenced within iii. moneths after the offence.

7 ¶ No person shalbe molested or impeached for any of ỳ offences concerning speaking or reporting, vnlesse he be thereof accused & conuicted within three moneths next after his offẽce committed. And in case any person shalbe imprisoned for any of ỳ offences of speaking or reporting, and not thereof conuicted, within iij. moneths next after the offence supposed to be by him committed, then he shalbe set at libertie & no lõger detained in prison, And no Pere of this Realme shalbe molested or impeached, for any of the said offences, But by order giuen from ỳ Queenes priuy counsell. 1. & 2. P. & M. 3. 1. El. 6.

Peeres of the Realme.

1 That Iustices of peace, Maiors &c. shal inquire of, heare & determine the foresaid offences. S. Iustices of peace. 21. 22.

2 What challenge he shal haue, which is indicted & arraigned vpon the foresaid statute of 1. & 2. P. & M. S. Challenge. 12.

¶ Nontenure.

BY exception of Nontenure of parcell, no writte shalbe abated but for the quantitie of the Nontenure which is alledged. 25. Edwardi tertij. 16.

1 Exception to a fine that the parties to the same had nothing in the land. S. Fines. 8.

¶ Office, Inquisition.

Other mens interests saued, though they be not found by office.

IF any Offices or Inquisitions be found before Eschetors, commissioners, or others, containing tenures of the Queene in Capite, entituling her grace to the wardship or custodie of any lands, tenements, or hereditaments, or intituling her to the same, vpon Attainders of Treason or felony or otherwise, wheras any other person or persõs do hold ỳ same lands &c. for terme of yeres, or by copie of Court roule, or do enioy any rẽt, cõmõ, office, fee or other profit apprẽder of any estate of freehold, for yeres, or otherwise out of such lands &c. specified in such offices, though in such offices such titles, interests or matters shalbe omitted & not found, yet euery

lesse

lesse, Tenant for yeres, or Copiholder, and euery such person and persons that haue any interest to any rent, common or profite apprender for terme of yeares, life, or otherwise out of the lands &c. conteyned in such office or inquisition where the Quœne shalbe intituled to the same, shal haue, enioy and perceiue all and euery their leases and interest for terme of yeares, or by Copy of Court roule, rentes, commons, offices, fées, and profit apprender, in such maner and condition, as euery of them should or might haue done, in case there had been no such office found, & as such lease, interest by copie of court roule, common, office, fée, or profit apprender had bene found in such office. 2. Ed. 6. 8.

2 ¶ If a Jurie that shalbe sworne before any Escheto, or cõmissioner, to enquire of lands &c. do not receiue the coũterpaine of the office or inquisition that by them shalbe presented, indented & sealed by the Escheto or commissioner, & the same deliuer and suffer to rest in the possession of the first person that shalbe sworne in the said Jury, to the intent ỳ the Escheto or commissioner maye not change or imbesile the said office, euery of the saied Jury shall forf. xx. s. 1. H. 8. 8. 3. H. 8. 2. The counterpaine of an office shal remain with the first man of the Jurie.

3 ¶ If the lands & tenements whereof any inquisition is to be had by vertue of any writ or commission, exceede the value of v. li. by the yeare, then such as sue for such writs or commissions, shall pay for the seale and writing therof such fées as haue ben accustomed. And if the lands and tenements whereof any inquisition and office is to be found by vertue of any writ or commission, exceede not the saied yearely value of v. li. Then such as shall sue for such writs or commissions, shal pay for the seale of euery of thẽ. vj. d. and not aboue. 33. H. 8. 22. The fees of writs or commissions.

4 ¶ If ỳ officer of a Court of record where an inquisition of lãd not exceeding the yerely value of v. li. shalbe returned, being offred vnto him within one moneth next after the finding therof, do not receiue the same, he shal forf. v. li. to the K. & J. to be rec. by A. J. li. wherein no Wl. E. P. &c. 33. H. 8. 22. Receiuing an office certified.

5 ¶ If the Clerke of the petite Bagge of the chancery or hys deputy, or any officer of ỳ Eschequer, hauing auctheritie to receiue any offices or inquisitions, to whose hands an office or inquisition shal come, which ought to be returned into the Chãcery or Eschequer, wil not receiue the same, and put it on the file as of recorde, within thrée daies after it be receiued or offered to him, he shal forfait xl. li. 1. H. 8. 8. 3. H. 8. 2. An office receiued within iii. dayes.

6 ¶ The Clerkes of the petit Bagge in ỳ Chancery shal certifie the transcript of al offices found & returned into ỳ Chancery, Transcript of offices.

betweene Easter & S. Michael, into the Eschequer, in the terme of S. Michael. And the transcript of al offices found & returned into the Chauncerie betweene Michaelmas & Easter they shal certifie yearely in the terme of Easter and otherwise they shall not certifie (and also they shall certifie the transcript of all offices into the Court of wardes, and liueries: in like maner and forme, as they are bound to do into the Eschequer. 33. H. 8. 22.) which certificats they shal make in forme aforesaid, vppon paine to forfait for euery default C. s. to the Queene and Informer to be recouered by Action of debt, wherin no W. ne. E. P. ne. 1. H. 8. 8. 3. H. 8. 2. 33. H. 8. 22.

Offices in Lancaster, Chester, Dureme.

7 ¶ All Inquisitions and offices founde before any Escheto^r^s or commissioners by vertue of any writs or commissiõ, or otherwise, within the counties Palantines of the Duchy of Lancaster, Chester, and Dureme, or any of them, shalbe returned by the said Eschetors, and commissioners within one moneth next after the taking therof, into such places and offices, as heretofore they haue bene accustomed to be returned into, vpon paine to forfait for euerie default xl. li. to the Q. And the Clarke of the Duchy of Lancaster, the vicechamberlein of Chester, and the Chauncellour of the county Palantine of Dureme, or other officers within the sayde counties Palantines, or their deputies, and euery of them hauing authoritie to receiue any such office or inquisition, to whose handes the same shal come, shal certifie or cause to be certified vnder his or their handes in parchment, the true transcript of euery such office or inquisition, taken before any of the sayd Eschetors or commissioners, vnto the Maister of the Court of Wardes & Liueries, in such like manner, as is appointed to the Clarkes of the Petit Bagge, in the Chauncery to transcript the same, vppon payne to forfait for euery such default v. li. to the Queene, which transcript shal there remaine of record, in like maner as the transcripts of other offices alreadie certified into the said court by the clarkes of the pteit bagge, are vsed, 18. El. 12.

1 VVhere a melius inquirendum shalbe awarded vpon an office vncertainly found. S. Tenures. 6.

2 For the maner of finding of offices & returning them. S. Eschetors. 2. 4. 7. 9. 10.

3 VVhere, and in vvhat cases, any person may be allowed to trauers an office. S. Trauerse. 1. 2. 3.

4 That the landes, goods &c. of any person attainted of treason shalbe in the Queene vvithout office found of the same. S. Treason. 14.

¶ The

The Chauncelour of England, Treasourer, Kæper of the prmy seale, Steward of ỳ Quæenes house, the Quéenes Chamberlaine, master of the Roules, the Justices of the one Benche & the other, Barons of the Eschequer, & al other that shalbe called to ozdaine, name, oz make Justices of peace, Sheriffes, Eschetozs, Customers, Comptrollers oz any other officers oz ministers of the Quéenes, shalbe swozne, that they shal not ozdain, name, oz make any of the fozesaid officers oz any other officers oz ministers of ỳ Quéenes, foz any gift oz Bzocage, fauour, oz affection, Noz that any which labourcth by him selfe, oz by other priuilie oz openlie, to bee in any office, shalbee put in the same office oz in any other, But they shal make al such officers and ministers of the best, and most lawful and sufficient men to their estimation & knowledge. An. 12. K. 2. 2.

None shal obtaine offices by suit oz reward.

2 ¶ All Officers made by the Quéenes letters patents, with in her courtes which haue auctho̅zitie, by vertue of their offices of the time accustomed, to make oz appoint Clarkes, and ministers within the same Courts, shalbe charged and swozne to appoint & make such clarkes and ministers, foz whom they will aunswer at their peril, which bée sufficient, faythfull, and readie to attend to that which pertayneth to their charge, aswel touching ỳ Quéens seruice, as the busynes of all ỳ common people. Anno secundo Henrici serti 10.

Officers of the Queens courts

3 ¶ No Customer, Comptroller, Searcher, wayer, finder, Gaugeour, Collectour of Customes oz Subsidies, shal haue any estate in his office foz terme of life, oz yeares, but ỳ said offices shal remaine in the Quéenes hands, vnder the gouernāce & direction of the Treasourer of England (with the assent of the Counsell, if néede be) And no letters patents shalbe made, of anie of the said offices, but by warrant, and Bill assigned by the Treasurer, sent into the Chancery, And if any letterz patents be made by any other warrant oz Bill, they be void. 14. K. 2. 10. 17. K. 2. 5. 1. H. 4. 13. 31. H. 6. 5.

Officers remonable.

4 ¶ If any person do bargaine oz sel any office, oz deputation of any office, oz any part of any of them, oz receiue, haue, oz take any money, fée, reward, oz any other profit directly, oz indirectly, oz take any promise, couenant, bond, agrément, oz any assurance to haue any mony, oz other profit foz any office, oz foz ỳ deputatiō of any office, oz any part of any of thē, oz to the intent ỳ any persō should haue, exercise, oz enioy any office, oz the deputation of any office &c. oz any part of any of them, which office oz any part of ỳ shall in any wise concerne the administration, oz execution of

Buying & selling of offices.

Justice, or the receipt, controulment, or payment of any of the Quéenes treasure, money, rent, reuenue, accompt, alneage, auditourship or surueying of any of the Quéenes landes, woods or hereditamentes, or any of the Quéenes Customes, or any administration, or necessary attendance to be done in any of the Quéenes Customehouses, or the kéeping of any of the Quéenes Townes, Castels, or fortresses, being vsed or appointed for a place of strength and defence, or which shal touche any Clarkship to be occupied in any court of record, wherein Justice is to be ministred: Then euery such person, that shal so bargaine or sel any of the said offices or deputations, or shal take any money, fée, reward or profit for any of them, or any part of any of them, or that shal take any promise couenant, band or assurance, for any money, reward or profite, to be giuen for any of them, shal lose al his right, interest and estate, which he shal then haue, of, in, or to any of the said offices or deputations, or any part of any of them, or of, in, or to ỹ gift or nomination of any of the said offices or deputations, for which offices or deputations, or any part of any of them, any such persons shal make any bargaine or sale, or take any money, fée, reward or profit, or any promise, couenant or assurance to haue or receiue any fée, reward, money or profit. And also euery such person that shal giue any money, fée, or reward, or shal make any promise, agrement, bond or assurance for any of the said offices or deputations, or any part of any of them, shal immediatly, by and vpon ỹ same fée, money, or reward giuen or payd, or vpon any such promise, couenant, band, or agrémẽt had or made for any fée, summe of money or reward to be paid, be adiudged a disabled person in the law to al intents to haue, occupie, or enioy the said offices or deputations, or any part of any of them, for the which such person shal giue or pay, or make any couenãt, band or promise &c. to pay any summe of money, fée or reward. And al such bargaines, sales, promises, bandes, agréements, couenaunts and assurances, as be before specified, shalbe void to and against him and them by whom they shalbe had or made. 5. Ed. 6. 16.

Officers where unto the stat extendeth not.

5 ¶ But this statute extendeth not to any office, whereof any person is or shalbe seised of any estate of inheritance, nor to any office of parkership or of ỹ keping of any house, manor, Garden, Parke, Chase, or forest, Neither doth it extẽd, or is preiudicial to any of the chiefe Justices of the kings Bench, or Cõmon place, or to any of the Justices of Assise, But euery of the said Justices may do in euery behalfe touching any office or offices to be giuẽ or granted by any of them, as they might haue done before &c. 5. Ed. 6. 16.

6 ¶

6 ¶If any person do offende in any thing, contrary to the tenour of this act, yet al Iudgements giuen, & al other actes executed & done by him by auctoritie, or colour of ỹ office which ought to bée surlaited, or not occupied by him after ỹ offence by him committed before he be remoued from ỹ administration of ỹ said office, or deputation, shalbe good & sufficient in lawe to al intents, in lyke maner, as the same should haue bene if this stat. had not bene made. 5. Ed. 6. 16. Actes done by an officer remouable.

7 ¶If any of the officers appointed for the Court of wardes & liueries, doe conceale, or withdrawe willingly any rents, casualties & other profits, comming to the Quéene by the minoritie of any of her wardes, or by reason of any thing appointed to be within ỹ order of the Court of wards & liueries: Then they so offending, shall lose to the Quéene the double value of the thing concealed, or wythdrawen. 32. H. 8. 46. And if ỹ Surueior, or Clarke of ỹ liueries, doe willingly wdrawe or cõceale any record, or profit, that should grow to the Quéene &c. by reason of the same, then he shal lose to ỹ Q. &c. ỹ double value of the thing so concealed or withdrawen, to be leuied & recouered against the offendor, vpon an information made by ỹ partie grieued, & the same duely proued in ỹ Court of wards & liueries. 33. H. 8. 22. Officer withdrawing the Queenes rents

1 Where officers by reason of their offices may exhibite informations. S. Accions popular. 8.

2 How Officers of the Queenes shalbe punished, which by colour of their offices, doe disseise any man. S. Assise. 4.

3 The forf. of officers of the kinges Bench, or common place for false entries in certaine cases. S. Apparance. 1.

4 Where commissiõs shalbe awarded to enquire of concealment of officers accomptable in the Eschequer. S. Accompt. to the Queene. 46.

¶Oyle.

The Maior of London, with the Maisters and wardens of ỹ Mistery of Tallow Chaundlers of the same Citie, haue auctoritie to serch al maner of Oyles brought into the said Citie to be solde, in whose handes soeuer they shalbe found, as often as the case shal require. And they shal ouersée that the same Oiles put to sale, bée not mixt, or altered from their right kinds, but that they be good & lawful as they ought to be. And it is lawful for ỹ said Maior, with ỹ said Maister & wardẽs, to dampne, auoide & vtterly to cast away, al such oyles as they find defectiue, or falsely or deceaueably mixed and altered frõ their right kinds, without let of any person. And also they Serching of Oile in London.

may

may cõmit such persons as shalbe found defective for vsing such deceipt or craft to ward, & punish them by their discretions, according to ỹ lawes & customes wỹn the Citie or libertie of London, vsed & made for other misdoers. 3. H. 8. 14.

Searching of Oile out of London.

2 ¶ The Maior in euery Citie, Borough, and Towne where a Maior is, or ỹ Gouernors, or Rulers of euery other Citie, Borough &c. for the time beeing, haue within their iurisdiction, libertie, & fraunchise, like auctoritie to make & doe like serch, order, directiõ, correction, punishment & execution of the same, of, for, & vpon al Oyles being defective, or deceaueably, or falsely mixed and altered, by any person wỹn their liberties & fraunchises, in maner & fourme before rehersed, & as ỹ Maiors, Masters, & wardens of the Citie of Londõ haue or may in London &c. 3. H. 8. 14.

¶ Ordinarie.

Ordinarie charged as executors

IF by the death of any dyinge intestate, which is bound to some other for debt, the goods come to the Ordinaries hands to be disposed, the Ordinarie is bound to aunswere as far forth as the goods of ỹ dead will extẽd, in such sort as executors should haue bene bound if ỹ partie had made a will. West. 2. 13. Ed. 1. 19.

Ordinary indicted of extorcion.

2 ¶ No Ordinarie, or any minister of his shall be indicted of extorcion or oppression generally, but it must be declared & put in certayne in the indictment, in what thing, of what, & in what maner ỹ said Ordinaries or their ministers haue done extorcion, and oppression, or otherwise the saied Ordinarie &c. shall not be impeched by the Quenes Justices, for the saied indictment. 25. Ed. 3. 9. Stat. pro Clero.

Religious houses within the visitation of the Ordinarie.

3 ¶ Anno. 31. H. 8. 13. it was enacted, that such of the late Monasteries, Abbathies, Priories, Nunries, Colledges, Hospitals, houses of Friers, & other religious and ecclesiasticall houses & places, & all Churches, and Chappels to any of them belonging, which before ỹ dissolution, suppression, or comming vnto K. H. 8. were exempted from the visitation, & al other Jurisdiction of the Ordinarie, within whose Dioces they were scituat, should be within the Jurisdiction & visitation of the Ordinaries, within whose Dioces they or any of them be scituat, or of such person as by the said king H. 8. should be appointed, any exemption, libertie, or iurisdiction notwithstanding 31. H. 8. 13.

1 The Ordinaries auctoritie & duitie, vvhen any question for tithes shal come in debate before him. S. Tithes. 2 0. 2 1. 31.

2 That the Ordinarie may suspend him vvhich chideth in a Chureh or Churchyard. S. Fighting. 2.

3 The Ordinaries auᵭthoritie in punishing the incontinency of eccleſiaſtical perſons. S. Incontinency. 1.

4 That the Ordinarie muſt giue the patron notice of depriuation, vj. Monethes before Lapſe. S. Lapſe. 1.

5 That the Ordinarie may viſite Hoſpitals vvithin his Dioces, & call the Officers to accompt. S. Hoſpitals. 1.

6 For the Ordinaries dutie in prouing of teſtamẽts & graũting adminiſtration. S. Probate &c.

¶Otmeale.

1 IF any perſon will take vpon him to ſell Otmeale, which is impaired by any craftie meanes, firſt he ſhalbe greuouſly puniſhed, theeing ẏ ſecond time conuict, he ſhal loſe al his Otmeale, ẏ third time ſhalbe adiudged to the Pilloẓie, & the fourth time he ſhall foẓſweare the Towne. 51. Ed. 1.

Selling of coꝛrupt Otmeale.

¶Pardon.

NO charter of Pardon of any Felony, Robbery, oꝛ Homicide, ſhalbe graunted to any perſon, but where the Quẽne may doe it, ſauinge her othe taken at her Coꝛonation. (vꝛ. Where a man killeth an other in his owne defence, oꝛ by miſfoꝛtune. 2. Ed. 3. 2.) And if any Charter be otherwiſe graunted, it ſhalbe void. 4. Ed. 3. 11. 10. Ed. 3. 2. 14. Ed. 3. 15.

Of what offences pardõ may be graunted.

2 ¶In euery Charter of pardon of Felony, which ſhalbe graũted at any mans ſuggeſtion, the ſuggeſtion, and the name of hym that maketh it, ſhalbe compꝛiſed in the ſame Charter. And if afterward the ſuggeſtion be found vntrue, ẏ Charter ſhalbe diſſallowed and accompted nothinge woꝛth. And the Juſtices bẽfoꝛe whom ſuch Charters ſhalbe alledged, ſhall inquire of the ſame ſuggeſtions, and if they find them vntrue, they ſhall diſallow the Charters, and further pꝛocede as the Law requireth. Anno. 27. Edwardi. 3. 2.

The ſuggeſtion compꝛiſed in the pardon.

3 ¶No Charter of Pardon ſhalbe allowed befoꝛe any Juſtice in Murder, oꝛ foꝛ the death of a man ſlaine by awaito, aſſault, oꝛ malice pꝛepẽced, Treaſõ, oꝛ Rape of a womã, vnleſſe ẏ ſame Murder, Death, Treaſõ, oꝛ Rape be ſpecified in ẏ ſame Charter, & if a Charter of ẏ death of a mã be alleged befoꝛe any Juſtices, in which it is not ſpecified that he of whoſe death any ſuch is arraigned, was murdered oꝛ ſlayne by awayt, aſſault, oꝛ malice pꝛepenced, the ſame Juſtices ſhall inquire by a good Enqueſt of the viſne, where the dead was ſlayne, if hee were murdered oꝛ ſlayne, by awayt, aſſault, oꝛ malice pꝛepenced. And if they find that he was murdered

The offences ſpecified in the pardon.

murdered or slayen by awayt &c. the Charter shalbe disallowed, & further therein shalbee done, as the lawe requireth. 13. R. 2. c. 16 R. 2. 6.

Pardon of an appriour.

4 ¶ If any man or womã, doe desire, or pursue, or cause to be requested or pursued, for any Charter of pardõ, for any felon arraigned of Felony, Murder, or Rape, which for safegard of his life doth become an appriour, the name of him or her which pursueth such Charter, shalbe put in the Charter making mencion that the same Charter is graũted at his request and instance. And if he to whom ẏ Charter is graunted, after his deliuerance becommeth a felon againe, ẏ same persõ which did pursue for hys Charter shal forf. to ẏ Quéene C. li. 5. H. 4. 2.

He that hath a pardon, shal find suerties for his good abearing.

5 ¶ If the Quéene doe graũt to any person any Charter of pardon of any homicide, robbery, or felony, thẽ he to whom the same is graunted shal come within iij. monethes next after the making of the same, before the Sherife, and Coroners of ẏ Countie where the felony was done, and shal finde vj. good and sufficiẽt Mainpernors, for whom the said Sherife and Coroners wil aunswere, that he from thẽceforth shal beare him selfe well and lawfully. And the mainprises shalbe sealed and returned into the Chauncery within iij. weekes after the end of ẏ said three Monethes. And if he which hath such Charter wil aide him selfe thereby, & hath not found such Mainprises, or after such mainprise found doth beare him otherwise against the peace thẽ he ought, his Charter shalbe accompted void & of no force. 10. Ed. 3. 3.

1 VVhat things be requisite to make pardons of Vtlawry allowed. S. Exigent. 2. 3.

2 That none hath auctoritie to pardon Felons &c. but the Queene. S. Prerogatiue. 17.

¶ Parliament.

Eche man that ought, shal vpon Summõs come to the parliament.

EVery Persõ of the Realme which hath Sũmons to come to ẏ Parliament (which shalbe holden once euery yeare, & more often if néede be, (4. Ed. 3. 13. 36. Ed. 3. 10.) be he Archbishop, Bishop, Duke, Earle, Barõ, Baronet, Knight of ẏ shiere, Citizen of City, Burgesse or Borough, or other singuler persõ or communaltie, that doth absent him selfe & commeth not at ẏ said Summons, (except he can reasonably & honestly excuse him selfe to ẏ Quéenes Maiestie) shalbe amerced, & otherwise punished according as hath been vsed. 5. R. 2. 4.

No man shal depart from the parliamẽt without licence.

2 ¶ No Knight, Citizen, Burgesse, or Baron, that shalbe elected to come or be in any Parliament, shal depart from the same Parliament

liament, nor absent him selfe from the same, vntil the same Parliament be fully finished, ended, or proroged, (except he haue licence of the Speaker and Commons in the said Parliament assembled, and the same licence be entered of Record in the booke of the Clarke of ỹ Parliament, appointed for the common house) vppon paine to lose those summes of money which he ought to haue had for his wages. And all the Counties, Cities, & Boroughes, whereof any such person shalbe elected, and the inhabitants of the same, shalbe clerely discharged of the said wages against the said person & his executors. Anno. 6. H. 8. 16.

3 ¶ If any Sheriffe of the Realme be negligent in making hys Returne of the writes for the Parliament. returne of writtes of the Parliament, or leaue out of ỹ said returnes any Cities, or Boroughes, which bee bound, or of old times were wont to come to the Parliamẽt, he shalbe punished in such sort, as hath bene vsed &c. 5. R. 2. Stat. 2. 4.

4 ¶ At the next Countie holden after ỹ deliuery of the Quéens writ for the election of the Knights of the Parliament, proclamation shalbe made in the full Countie, of the day, and place of ỹ parliament, & that al they which be there present, aswell Suitors summoned for the same cause, as other, shal attende to the election of the Knightes for the Parliament, and then in ỹ full Countie they shall procéede to the election freely and indifferently (notwithstanding any prayer or commaundement to the contrary. 7. H. 4. 15.) which election shalbe made by the Sheriffe, in due and conuenient time. (That is to say, euery Sheriffe in his full Countie shal make the same, betweene the hower of viij. & the hower of ix. in the forenone without collusion.) And the Knightes of the Shires wythin England shalbe chosen by men dwelling and resiant within ỹ same Counties, whereof euery one hath frée lands, or tenementes to the value of xl. shillings by the yeare at the least aboue al charges, within the same Countie, where any such person will medle in the election. And they which shalbee chosen, shalbe also remaining & dwelling within the same Counties, the day of the date of the writt, for Commons of the Parliament. And they which haue the greater nũber of those which may dispend xl. s. or aboue (be they ablét or pre-) shalbe returned by the Sherife of euery Countie, Knights for Parliament, by Indenture ensealed, made betwixt the said Sheriffe and the said Chouisers, & the Indenture shalbe filed to the Parliament writt, which Indenture so sealed & filed, shalbe the returne of the same writ. And euery Sherife within the Realme of England hath authoritie to examine by othe, vppon the holy Euangelistes euery such Electour, how much he may dispende by yeare (for

The maner of the election of the knights for the parliament.

he that

he that cannot dispend xl.s. by yeare, shall not in any maner be a chouser of the Knights of the Parliament) And if any sherife re turne Knights for the parliament contrary to this statute, or doe not make his election within the foresaid time: The Justices of assise in their Sessions haue power to inquire thereof, and if by Enquest it be found before the same Justices, & the sherife there attainted, he shall forf. to the Quéene C.li. and also be imprisoned a yeare, without béeing let to baile or mainprise. And moreouer he shall forf. and pay to euery person chosen Knight for the Shere, not duely returned C.li. whereof euery knight so gréeued shal haue his accion of debt against the said Sherife, his executors or administrators, to demaunde and haue the said C.li. with his costes in that case dispended, wherein no W.E. &c. And also ỳ Knyghts of the parliament returned in contrary maner, shal lose their wages. 7.H.4.15. 11.H.4.1. 1.H.5.1. 8.H.6.7. 10.H.6.2. 23.H.6. 15. But the Sheriffes which shal make such elections, shall haue their aunswer and Trauerse to such Enquestes and Offices found before the Justices of Assise. And neither ỳ sheriffes nor ỳ knyghtes supposed to be vnduely returned, shall incurre any damage to the Quéene, vntill they be duly conuicted, according to the course of lawe. 6.H.6.4.

The Sherifes forfaiture.

Election of Burgesses.

5 ¶ Euery Sherife after the deliuerie of the Quéenes writ to the parliament, shal make & deliuer without fraud, a sufficient precept vnder his Seale to euery Maior & Bailife, or to Bailifes of Bailife, where no maior is, of the Cities and Borroughes within his County, reciting the same writ, commaunding them by ỳ same precept (if it be a Citie) to chouse by Citizens of the same Citie and in the same maner, if it be a Borough, by the Burgesses of the same, to come to the Parliament. And the same Maior & Bailifes or Bailifes &c. shal returne lawfully the Precept, to the same Sherife, by Indenture betwixt the same sherife, and them of the said election, and of the names of the Citizens and Burgesses by them so chosen, and thereupon euery Sherife shal make a good and perfect full returne of euery such writ, and of euery returne by the Maior or Bailifes &c. to him made. And euery sherife at euery time that he doth contrary to this Statute, or any other statuts for the election of knights, Citizens, and Burgesses to come to the Parliament (made before the xvi. day of Februarie. An. D. 1444 [illegible] H.6.) shall forf. to the Quéene C. li. and be one yeare imprisoned without baile or mainprise, and moreouer shall forf. & pay to euery person chosen knyght, Citizen, or Burgesse in his Countie to [illegible]

any Parliament, and not duely returned C.li. whereof euery ght, Citizen, or Burgesse so græued seuerally, shall haue hys on of debt against ỹ said sherife or his executors or administra- to demaunde & haue ỹ said C.li. with his costs in that case ex- ded, wherein no W. E. &c. 23. H. 6. 15.

¶ At euery time that any Maior and Bailifes, or Bailife, or Other Burgesses returned, then which be chosen. s where no Maior is, shall returne other persons then those ch be Chosen by the Citizens & Burgesses of ỹ Cities or Bo- ghes where such elections shalbe made, they shal forf. to the M. and also they shall forf. & pay to euery person chosen Citizen Burgesse for the Parliamẽt, & not by the said Maior &c. or Bai- &c returned, xl. li. whereof euery of the Citizens or Burgesses ined, seuerally shall haue his accyon of debt against the sayed s and Bailifs, or Bailife, or Bailifs where no Maior is, a- their executors or administrators, to demaund & haue xl. li. his costes in that case expended, wherein no Wager E. &c. H. 6. 15.

¶ If any Knyght, Citizen, or Burgesse, returned by the she- A knight or burgesse put out, & an other put in his place. to come to ỹ Parliament in maner aforesaid, be after such re- by any person put out, and an other put in his place, such per- put in the place of him which is so put out, if he take vpon him a Knight, Citizen, or Burgesse at any Parliament, shal forf. Queene C. li. and also C. li. to the Knight, Citizen, or Bur- so returned by the Sherife, & afterwards put out, for ỹ which the Knyght, Citizen, or Burgesse put out, shal haue his accion bt against such person put in his place, his executors or admi- rators. 23. H. 6. 15.

¶ But the said Knight, Citizen or Burgesse put out, and euery within what time the suit shal be commenced. r person before named, which shall or may haue any accion of against any sherife, Maior, Bailife, Bailifs &c. for to demaũd or xl. li. by force of any Branch or clause before reherſed, shall me his accion of debt wtin iij. Monethes after the same parlia- commenced, & procede in the same suit effectually without . And if he doe not so, any other that will sue shall haue ỹ saied n of debt, to haue and recouer the same summe, with his costs et behalfe dispẽded in maner and forme aforesaid, wherein no E. &c. 23. H. 6. 15.

¶ The knightes of the Sheres chosen for the Parliament, who shalbe knightes for the Parliament. e worthy and notable Knyghts of the same sheres for which be chosen, or otherwise such notable Esquires, Gentlemen e of the same Counties, as shalbe able to be Knights. And no shalbe such a Knight which stãdeth in ỹ degree of a yeomã or

vnder

Citizens and Burgesses.

vnder.23.H.6.15. And the Citizens and Burgesses of Cities & Boroughes shalbe chosen of men which be citizens and burgesses resiant, dwelling, and enfranchised in ỳ same Cities & Boroughes & in none other maner.1.H.5.1.

The Queenes assent.

10 ¶The Quéenes roiall assent, by her letters Patents vnder her great seale, and assigned with her hande, and declared and notified in her absence, to the Lordes spirituall and temporall, & to the commons assembled together in the high House, is, and euer was shalbe of as good strength, & force, as though ỳ Quéenes person were bene there personally present, & had assented openly & publikely to same.33.H.8.21.

Lands cõtributory to knights wages.

11 ¶If any Lord, or other spiritual mã or tẽporal, haue purchased any landes, tenements, or possessions, that were wonte before said purchase to be contributorie to ỳ expenses of ỳ knights cõming to ỳ Parliament, the said lands, tenements, & possessions, & the tenants of the same, shalbe contributorie to the said expences, as ỳ said lands &c. were wont to be, before the tyme of the same purchase.12.R.2.12.

The order of leuying knights wages.

12 ¶The Sherife of euery Countie for the time béeing, in the next Countie court holden in their Counties, after the deliuerance of the Quéenes writtes to them, De solutione feodi militis parliamenti, shall make open Proclamation, that the Coroners, & euery chiefe Constable of peace of the said Counties, and the Bailiffes of euery hundred or wapentake of the same Countie, and all others which will be at the assessinge of the wages of the knyghts of the Shires, shalbe at the next countie there to be holden, to assesse the said wages of the said knights. And the Sherife, vndersherife, Coroners, or Bailiffes for the time béeing, shalbee there at the said time in their proper person, vpon paine of forfaiture to the Quéene of euery of them that maketh default xl. shillinges, at which tyme the said Sherife or vndersherife, in the presence of them that shall come to the same, and of the suitors of the said Counties then beeing there in the full Countie, well and duely shall assesse euery hundred to that assessable, by it selfe, to pay a certaine summe for the wages of the knights of the Shere, so that the whole summe of all ỳ hundreds doe not excéede the summe which shalbe due to ỳ said knights, and after that in the same Countie shall assesse euery village within in the said hundreds, which shalbe there assessable, to a certaine summe for the payment of the said wages, so that the whole summe of the Townes, within any of the said hundreds doe not exceede the summe assessed vpon the hundred of which they be. And the said Sherifes, vndersherifes, bailifs, nor no other officer, for ỳ cause aforesaid

shall leuy more money of any village, then that whereunto they were assessed. And if any doe, or will assesse any hundred, or village otherwise then is aforesaide, they shall forfait for euery default to the Quéene xx.li. and to any man which will sue in this case x.li. And the said Sherifes well and duely shall leuy the money so assessed vpon the foresaid villages, as soone as they well may, after the said assessing, & the same shall deliuer to the said knightes, according to the writs thereof, vpon the foresaid paynes &c. & he that will sue in this case shalbe thereunto admitted, and shall haue a Scire facias against him that offendeth against this statut, & if the defendant duely warned in the same make default, or els appeare and be in the same conuict, then the plaintife shall recouer against them which be so conuict x.li. to their owne vse, besides the sayde pound with their treble damages, for the costes of their suits. 23. H. 6. 11.

1 Hovv they shalbe punished vvhich doe assault any Lord, Knight, or Burgesse of the Parliament, or any of their seruants. S. Fightinge 5.

2 In vvhat sort he shalbe vsed vvhich entreth into the Parliament house, vvithout taking the othe for the assuraunce of the Queenes powver ouer all estates. S. Queene 5.

3 For the Knights and Burgesses of Parliament, to be chosen euery Shire, Citie, and Tovvne corporat in Wales, & for their wages. S. VVales 116. 117. 118. 119. 120. 121.

4 That there shalbe ij. Knights for the County, & ij. Citizens for the Citie of Chester for euery Parliament. S. Chester 2.

5 That they vvhich come to the conuocation, shal haue such liberties, as they vvhich come to the Parliament. S. Conuocation 1.

6 That no Appeals shalbe sued in the Parliamẽt. S. Appeale. 1.

¶Particion, Parceners.

If an inheritance which is holden of the Quéene in Capite, doe descend to diuers Coparceners, then all the heires shall doe homage to the Quéene, and the inheritance which is holden of the Quéene shalbe so deuided amongst the heires, that euery of them shall thenceforth shal hold her part of the Quéene. Prerog. Regis. 17. Ed. 2. 5. And if they be within age, the Quéene shall haue the wardship and mariage of euery one of them, and so shall euery other Lord of whom they hold their landes. Stat. Hibernię, Particion of lands holden in Capite.

¶ All Jointenãts, and tenants in common of any estate, or of inheritãce in their owne rights, or in the rights of their wiues Jointenants & tenants in common, shal make particion.

lwiues, of any manors, lands, tenements, or hereditaments, with in Englande, Wales, or the Marches of the same, shall and may be compelled to make particion betwene them, of al such manors, landes, tenementes, and hereditamentes, as they hold as iointenants or tenants in common, by writte De particione facienda, in like maner, as coparceners by the common lawes haue bene and are compellable to doe, and the same writte shalbe pursued at the common law. 31. H. 8. 1.

Ayde after particion.

3 ¶But euery of the said iointenants, or tenants in common and their heires after such particion made, shal and may haue aide of the other, or of their heires, to the intent to deraigne the warrantie paramount, and to recouer for the rate, as is vsed betwen parceners after particion, by order of the cõmon law. 31. H. 8. 1.

Iointenãts for life or yeres.

4 ¶All Iointenantes, and tenants in common, and euery of them, which hold iointly or in common for terme of life, yere, or yeres, Or iointenants or tenants in common, where one or some of them haue estate or estates for terme of life or yeres, with the other that haue estate or estates of inheritance or frēhold, in any manors, lands, tenements, or hereditaments, shall & may be compellable by writ of particion, to be pursued out of the Chauncery, vpon his or their case to make particion of al such lands &c. which they hold iointly or in common, for terme of life or liues, yere or yeres, where one or some of them hold iointly or in common, for terme of life, or yeres with other, or that haue an estate or estates of inheritance or frēhold. 32. H. 8. 32.

Particion preiudicial to none but which be parties thereunto.

5 ¶But no such particion to be made by force of this statute shalbe preiudicial to any persons, their heires or successors, other then such which be parties to the said particion, their executors or assignes. 32. H. 8. 32.

1 Hovv much the vsurpation of a coparcener vpon his coheire, shal preiudice him in his presentation. S. Auovvson 6.

2 In vvhat maner, & betvvixt vvhom particion shalbe made of landes in Gauelkind in Kent. S. Prerogatiue. 16.

¶Pattens & Pattenmakers.

Patēs of Alpe.

I F any pattenmaker within this Realme, doth make pattens or clogges of such part of Alpe timber, which is able & sufficient to be made in shaftes, he shal forfait to the Quene and I. for every time xl. s. But it is lawfull to the patenmakers of this realme to make patens of such timber of Alpe that is not apt, sufficient, conuenient to be made in shaftes. 4. Ed. 4. 9. 4. H. 5. 3.

The day of the deliuerie of euery warrant sent by the Quéene, or her heires, to the Chauncellor of England, shalbe entered of record in the Chauncery. And the Chauncellor shall cause letters patents to be made vpon the same warrant, bearing date the day of the said deliuerie in the Chauncery, and not before. And if any letters patents be made to the contrary, they shalbe voyde. 18. H.6. 1.

Letters patẽts shall beare the date of the deliuerie of the warrant.

2 ¶If any person doe make suit to the Quéene for any lands, tenements, offices, or any other thinges, by her grace graunted, or to be graunted to any person during her pleasure, the first patentée then being in life, he shall expresse in the said bill of peticion or patent, the tenor of the said former patent, & that the Quéene hath determined her pleasure against the said first patentée, or els the second letters patents of any of the premisses to any person to be graunted, shalbe voide. 6. H. 8. 15.

Patents of lands &c. grãted to others during pleasure.

3 ¶As well al and singuler letters patents, indẽtures, & other writings sealed vnder the great seale of England, or vnder the seal of the Duchie of Lancaster, or the seale of the County palantine of Lancaster, and hertofore made or graunted by our soueraigne Lady Quéene Elizabeth, sithence 18. Nouemb. Anno 1. of her raigne, for any summes of money, or for any other considerations, & al other letters patents hereafter to be made by our sayd soueraigne Lady, for any summe of money, or other considerations, during vij. yeres next ensuing the making of this act (being 15. die Marcij, An. Do. 1575.) to any body politique or corporat, or to any other person or persons whatsoeuer, of any honors, castels, manors, lordships, granges, meases, lands, tenemẽts, medowes, pastures, rents, reuersions, seruices, woodes, aduowsons, nominations, patronages, annuities, rightes, interestes, entries, conditions, leetes, courts, liberties, priuiledges, franchises, or of any other hereditaments, with their appurtenances, or of any part or parcel of them, sealed with or vnder the great seale of England, or vnder the seale of the Duchy of Lancaster, or the seale of the countie palatine of Lancaster, of whatsoeuer kind, nature, or qualitie, they or any of them be, or shalbe reputed, knowen, or taken, with their appurtenances, or any part or parcel of them, shalbe good, perfect, & effectuall in the law, and shal stand, be taken, & adiudged good, perfect, and effectuall in the law, against the Quéene, her heires & successors, according to the tenor and effect of the said letters patentes, the same to be expounded and iudged most beneficially for the patentées and grauntées of the same, and their assignées, according vnto the wordes, and purport of euery of the said letters

A confirmation of the letters patẽts of Queene Elizabeth, made or to be made.

patents, without any confirmation, licence, or tolleration of the Quæne, her heires or succesſors, any miſnaming, miſrecitall, or nonrecitall of any the ſame honors, caſtels, manors, landes, tenements, and other the premiſſes, or of any parcell thereof, or any lacke of finding of offices, or inquiſitions, of, and in the premiſſes, or any part thereof, whereby the title of the Quéene therein ought to haue bene found, before the making of the ſame letters patents, or other writings, or any miſrecitall, or non recital of leaſes thereof before made, aſwell of recorde, as not of record, or any lacke of the certaintie, miſcaſting, rating, or ſetting forth of the yerely value, and rate of the premiſſes, or of the yerely rents reſerued, of, for the premiſſes, or any parcell thereof, mencioned, or contayned in any of the ſaid letters patents, or other writings, or for that the premiſſes be, or any part thereof is valued to a more or leſſe value in the ſaid letters patents, or writinges, then the ſaid landes, and other the premiſſes then were, or ſhalbe in yearely value, or any miſnaming, or not true naming of ẏ townes, hamclets, pariſhes, or counties, where the ſame landes, tenementes, rents, hereditaments, & other the premiſſes, & euery parcell, or any parcel thereof lien or beene, or any lacke of the true naming of the landes, tenements, or hereditaments, or of the natures, kinds, ſorts, qualities, or quantities of the ſaid poſſeſſions, or hereditaments, or any parcell thereof, or any lacke of the true naming of the corporation, or any lacke of the atturnement, liuerie, or ſeiſin, or of any miſnaming of any the late tenants or fermors of the ſame honors, manors, landes, tenements, & hereditaments, or any part thereof, ſold, graunted, or gyuen notwithſtanding. 18. El. 2.

The aunſwere for the ouerplus of lands graunted by the Queenes patent.

4 ¶ All and ſinguler ſuch patentées, grauntées & donées, & euery of them, which at any time heretofore ſithēce the ſaid viij. day of Nouember, in the firſt yere of the Quéenes raigne, haue obtayned of our ſoueraigne Lady the Quéene, or at any time after the ſeſſion of Parliament ended (vb. Marcij. An. Do. 1575.) during the ſpace of vij. yeres, ſhal obtaine of her Maieſtie by way of exchange or for any ſumme of money, or other conſiderations, any letters patents of any manors, landes, tenementes, or hereditaments which at the date and making of the ſame letters patens were or ſhalbe at the time of makinge ſuch letters patentes, of better or more yerely value to the Quéene, and ſo aunſwered in yerely rent and ferme, then was, is, or ſhalbe contayned & ſpecified in any ſuch letters patents or in the particulers or rate thereof, made or to be made by any Auditor, Surueyor, or other officer, then euery ſuch patentée, grauntée, or donée, their heires, executors, or aſſignes,

euery

tury of the within one yeare next after office, or other due proofe, order and decree thereof to be made within x. yeres next after xb. Iunij, An. Do. 1575. in the Eschequer, shall pay vnto ỳ Quéene her heires and successors, for the same ouerplus of the same lands &c. so sold, giuen, graunted or exchanged, after the rate of lx. yeres purchase, and according to such yerely value and rate, as the same landes, tenements, and other hereditaments were, & aunswered at the time of the making of any such letters patents so made or to be made, in maner and fourme aforesaid, any thing contayned in any such letters patents &c. notwithstanding. 18. El. 2. lx. yeres purchase.

¶ But this Act shal not extend to confirme, or make good any lease or leases, made or to be made by the Quéene, for terme of life, liues, or for yeres, whereupon the old and accustomed rents, or more be not, or hereafter shal not be reserued, and yerely payable during the terme of euery such lease. Nor this act shall extend to reuiue or make good any letters patents made of any office or offices to any Comptroller, Customer, Aulneger, Searcher: Nor to any letters patents of the graunt of any other office or offices, heretofore made by the Quéene, which now be, or at any time heretofore haue ben determined, or made voide by iudgement, by authoritie of Parliament, or by decree. Nor to any patents to be made to any person for terme of yeres, or during the minoritie of any heire, of any manors, landes, or tenementes, whereof any trauerse shalbe tendered, with three monethes after any office found, and certified into any the Quéenes courts of record. Ne to make good any letters patents made by our said soueraigne Lady of any office to be of any other effect then the same letters patentes were or should haue bene, before the makinge of this act. Neither shall it extend to any letters patents, which at any time hertofore, sithence the beginning of the Quéenes raigne haue bene, or hereafter shalbe made by the Quéene to any person of any manors, landes, tenements, rents, reuersions, seruices, or other hereditaments, by force of any information, suit, or suggestion made or to be made, to her highnes, that the same landes &c. contayned in any such letters patents, were concealed landes. But the same letters patents, and euery of them, shall remayne & be in the same force and effect, as they were before the making of this Act. 18. El. 2.

Patentees, or graftees whereunto this statut extendeth not.

Patents of lands wherof a trauerse is tendred.

Patents of offices.

Patents of concealed landes.

¶ Sauing to all other persons, and bodies politique and corporat, their heires and successors, and euery of them, al such right, title, interest, possession, estate, leases, rents, seruices, commons, and al other profits & commodities whatsoeuer, as they or any of

them should or might haue had, before the letters patents therof made, if this act had neuer bene had ne made. 18. El. 2.

A confirmation of al allurances made to the Queene.

7 ¶ All feoffements, fines, surrenders, allurãces, conueiances & estates, had or made, to or for our soueraigne Lady Quéene El. sithence 18. Nouemb. An. 1. of her raigne, or to be made at any time during vij. yeares (next after the end of this Parliament being 15. die Marcij, An. Do. 1575.) by any person, body politique or corporat, of any landes, tenements, rents, and other hereditaments, for any debt, sume of money, or other consideration whatsoeuer, shalbe good and anaylable in the law to all intents, according to the true meaning of the same. Sauing to all & euery person & persons, & their heires, bodies, politique and corporat, & their successors, (other then such person & persons, their heires & wiues, being parties or priuies to such conueyances &c. bodies politique and corporat, & their successors &c. of whom the Quéene hath obtayned or purchased, or shal obtaine or purchase during the said vij. yeres, any lands &c. by exchange, gift, bargaine, or otherwise) all such right, title, interest, vse, possession, rents, reuersions, remainders, offices, fees, commons, profits, and commodities, whatsoeuer, which they or any of them haue, might, or ought to haue had, of, in, or to the premisses or any part thereof in as ample manner, to all intents, as if this act had neuer bene made. 18. El. 2.

Other mens right saued.

A confirmation of the patents, of king H. 8.

8 ¶ An. 34. & 35. H. 8. 21. The like statut was made cõfirming all letters patents, indentures, and other writinges made, or granted to any person or persons &c. by the said kinge vnder the great seale of England, the seale of the Duchy of Lancaster, or the seale of the Court of Augmentations, sithence 4. Februarij. An. 27. H. 8. vntil 12. Maij. An. 35. of his raigne, and to be made vij. yeres after, notwithstanding any misnaming, misprision, misrecital &c. as supra. And also confirming all exchanges, fines, feoffements, recoueries, dœdes inrolled &c. made within the foresaid time, by any persons to the said kinge, of any landes, tenementes, or hereditaments &c. notwithstanding any misrecitall, misnaming, non recitall, or not naming of any the said landes &c.

Landes assured to king H. 8.

A confirmation of the patents of king Ed. 6.

9 ¶ An. 1. Ed. 6. 8. The like statut was made, confirming letters patents, indentures, & other writinges made or granted to any person or persons &c. by the said king vnder any of the said vij. seales, sithence 28. Januarij, An. 1. Ed. 6. and to be made during the said kinges life, notwithstandinge any misnaming or misrecitall &c.

A confirmation of the patents of king H. 8. & king Ed. 6.

10 ¶ An. 7. Ed. 6. 3. A statut was made, confirming all letters patents, made by king H. 8, sithence 4. Februarij. An. 27. of his raigne

raigne, & by king Ed 6. fithence 28. Januarij. An. 1. of his raigne of bargaines and sales, giftes, exchanges, &c. notwithstanding the lacke or losse of the particulers, or the bil assigned of the patents, & notwithstanding the nonage of the said king Ed. 6. as Duke of Lancaster, or any acte, statute, or lawes, for or concerning any tenures, or reseruations of rents or tenths to the contrary &c.

A confirmation of the patents of king H. & Q. Mary.

11 ¶Anno 4. & 5. P. & M. 1. A statut was made, confirming al letters patentes, Indentures, and other writinges made by the said king and Quéene, or by the said Quéene, vnder the great seale of Englande, or the Seale of the Duchy of Lancaster, fithence 7. Julij, Anno 1. M. vntill 7. Marcij. Anno Do. 1557. and to be made by the sayde kinge and Quéene, during seuen yeares after the sayde seuenth day of March, notwithstandinge any mysnaminge, misrecitall &c. vt supra. And also confirminge all feoffmentes, fines, surrenders &c. made within the forsayd time by any person, bodie politique, or corporat, to the said kinge and Quéene, or to the saide Quéene, of any landes, tenementes, or hereditamentes.

within what time a patent shalbe sued forth of a wardship or liuery.

12 ¶Euery person to whom the Quéene shal graunt the custodie and wardship of any of her wardes, shall vpon his bill assigned thereof, sue forth his Patent, within 4. monethes next after the assignement of the said bill, or els the same bill, and the effecte thereof, shalbe vtterly voyd. 32. H. 8. 46. And euery person, to whom the Quéene shall graunt any liuery, to be sued vppon hys bill assigned thereof, with the Quéenes hand, or with the handes of the officers of her Court of Wardes and Liueries, shall sue forth his Patent within thrée moneths next after the assignemēt of the said bill, or els the same bill, and the effect thereof shalbe vtterly void &c. 33. H. 8. 22.

A patent of lands seised vpon an Enquest taken before an Escheator.

13 ¶If a Patent be made to any person, of landes seised into the Quenes handes vpon an Enquest taken before an Escheator or Commissioner, or any of the same lands letten to ferme by any of the Quéenes officers, vntill the same Enquest be returned into the Chauncery or Eschequer, and that the landes haue remayned in the Quéenes handes, vntyll such Enquest be returned, and one moneth after, the patent shalbe void, except such as doe find them not greeued by the same Enquestes doe come into the Chauncery within thrée moneths after ỹ same office put into the Chaūcery, or Eschequer, and doe offer to trauerse the Enquest, and take the same lands to ferme, shewing good euidence, proouing their trauerse to be true, to whom the lands shalbe let to ferme, to stand vntil the issue vpon the same trauerse be foūd for the Quéene,

or the partie findinge sufficient suertie to pursue the said trauerse with effect, and to paye to the Quéene the rent if by right it be hers. And then all other patents made thereof within the three monethes shalbe voyde. 36.Ed.3.13. 8.H.6.16. 18.H.6.6. 1.H.8.10.

1 VVhere an Assise doth lye against the Queenes patentee. S. Assise 5.

2 That a Patent graunted of the office of a Shirife or vnder Shirife, in fee, for lyfe, or yeres, shalbe void. S. Sherife. 4.

3 That Knights fees, aduowsons, and dovvers do not passe by patent, vvithout speciall wordes. S. Prerogatiue 15.

4 Hovv long a patent made to an Eschetor for that Office shall indure. S. Eschetor 8.

5 Of vvhat offices there shalbe no estate graunted by patent, but the Officers shalbe remouable. S. Officers 3.

6 That a patent made to a Vittailer to be a Purueyor, for the Queenes carriage is voyd. S. Purueyor 12.

7 VVhat things shalbe put in euery patent graunted, to make an Alyen, Denizen. S. Alyens 16.

8 That an exemplification of a patét shalbe of the same force that a patent is. S. Exemplification 1.

¶Periurie.

Procuring wilfull periurie. EVery person, which shal vnlawfully and corruptly procure any witnes by letters, rewards, promises, or by any other sinister and vnlawfull labour, or meanes, to commit any wilfull and corrupt periurie in any matter, or cause, depending in suite and variance, by any writte, accion, bill, complaint, or information, in any wise concerning any lands, tenements, or hereditaments, or any goods, cattels, debtes, or damages, in any of the courts of Chancery, Starre Chamber, Whyte hale, or in any other of ỳ Quéenes courts of record, or in any léete, view of franke pledge, or lawdaies, auncient demesne, court hundred, court Baron, or in the court or courts of the Stanery in the Counties of Deuon and Cornewall, or shall vnlawfully and corruptly procure, or suborne any witnes which shalbe sworne to testifie In perpetuam rei memoriam: Then euery such offendor shal for his said offence, being thereof lawfully conuicted or attainted, forfeit xl.li. to the Quéene & partie grieued that will sue by A.J. &c. wherein no W.E.P.J. &c. And if it happen any such offendor so being conuicted &c. not to haue any goods or cattells, landes, or tenementes, to the value of forty pounds, then he shall suffer imprisonment one halfe yeare without bayle or mai-

mainprise, and stand vpon the pillorie one whole houer, in sõe market towne, where, or next adioyning to the place wher the offence was committed in open market there. And no person being so conuicted &c. shalbe from thencefoorth receiued as a witnesse to be deposed in any court of record, within any of the Quéenes dominions of England, Wales, or the marches of the same, vntyll the Iudgement geuen against him shalbe reuersed by attaint, or otherwise, and vpon euery such reuersal the partie greeued shall recouer his dammages against al & euery such person & persons, as did procure the said Iudgemẽt so reuersed to be first geuen against him by accion, to be sued vpon his case according to the course of the common lawe. 5. Elizabeth 9. 14. Elizabeth. 11. S. Maintenaunce. 4.

2 ¶If any person either by the suborнation, vnlawful procurement, sinister perswasion, or means of any others, or by his owne assent, consent or agreement, shal wilfully and corruptly commit any maner of wilful periurie by his deposition in anie of the courts before mencioned, or being examined Ad perpetuam rei memoriã, then he being thereof duely conuict or attainted, by the lawes of this realme, shal for his said offence forf. xx. li. to the Q. & P. greeued &c. that wil sue by A. I. &c. wherin no W. &c. E. P. I. &c. & shal haue. vi. monethes imprisonment, without baile or mainprise, & his othe from thẽceforth shal not be receiued in any court of record &c. vntil the Iudgement geeuen against him shalbe reuersed by attaint or otherwise. And vpon euerie such reuersal, the partie greeued shal recouer his dammages against al and euery such person or persons, as did procure the said Iudgement so reuersed, to be geuen against him, by accion to be sued vppon his case &c. And if the said offendor haue not any goods or cattels to the value of xx. li. thẽ he shalbe set on the pillorie in some market place, within the shire Citie or Borough where the said offence shalbe committed, by ỹ Shrife or his ministers, if it be without any City, or towne corporat. And if it be within any Citie or towne corporat, then by ỹ said officer, or officers of the same Citie &c. or by his or their ministers, and their shal haue both his eares nayled, and from thẽceforth be discredited & disabled for euer to be sworne in any ỹ courts of record aforesaid, vntil the Iudgement shalbe reuersed, & thereupon shal recouer his dammages in maner and forme before mẽtioned. 5. El. 9. 14. El. 11.

Comitting wilful periurie.

3 ¶But this act doth not extend to any ecclesiastical court within England, Wales, or the marches of the same, but euerye such offendor, as shal offend in forme aforesaid, shal & may be punished by

Periurie cõmitted in any ecclesiastical court.

by such ordinary lawes, as heretofore hath ben, and yet are vsed in the said ecclesiastical courts. 5. El. 9. 14. El. 11.

Periury punishable in the starre chamber and other courts.

4 ¶ Alwel the Iudge and Iudges of euery such court where any such suit shalbe, whereuppon any such periury shalbe committed, as also the Iustices of assise, and gaole deliuery & ỳ Iustices of peace at their quarter sessiõs, haue power to inquire of, heare, & determine al the offences committed contrarie to this act by the inquisition, presentment, bil, or information. But this statut doth not restraine the power geuen by a statut made An. 11. H. 7. 25. to the Lord Chauncellour and others of the Quẽnes Counsel, to examine and punishe riots, routes, heinous periuries, and other offences (which haue vsed to heare and determine such matters in the Starre Chamber at Westminster.) nor to restraine the power of the Lord Presidẽt and Coũcel in the marches of Wales or in the North, Nor of any other Iudge, hauing ablolute power to punishe periurie, before the making of this statut. But euery of them shal & may proceed in the punishement of al offences heretofore punishable, in such wise, as they might haue dõe & vsed to do before the making of his act, to al purposes, so that they set not by the offendours lesse punishement then is contained in this act. 5. El. 9. 14. El. 11. to continue vntil the end of the nert parliament. S. Iustices of peace. 23.

1 VVhere, in vvhat cases, and in vvhat maner periurie shalbe punished by attaint. S. Attaint.

¶ Pevvter, Brasse, Pevvterers.

Pewter shalbe sould in faires & markets, & in the owners house only.

NO person nor persons vsing the craft of pewterers and Brasiers, shal sel or chaung any pewter or brasse, newe or old, in any place within this realme, but only in open faires markets or their owne dwelling houses, but if they be desired by the buyers such wares, vpon paine of forf. for euery such default to the Quene to him that wil seise, or present the same, or ỳ wil sue for the same by A. I. tit. r. li. wherein no Wl. E. P. tit. 19. H. 7. 6. 4. H. 8. 7. 2. H. 8. 9.

Of what goodnesse pewter & brasse vessell ought to be.

2 ¶ If any person either worke or cast any pewter vessel or brasse at any place wtin this realme, except it be as good fine mettal as ỳ pewter and brasse cast & wrought after the perfect goodnesse of same, within the Citie of London, and by the statuts of the same ought to be, he shal forfait to the vse of the Quẽne, and the Maister thereof, or of him that wil seyse or sue for the same by A. I. such pewter and brasse so cast & wrought of worse pewter &c. But this forfaiture shal not extend to brasse or pewter being in the possession of any person, other then the workers of the same.

haue the ſame to ſel, or being of the crafts &c. 19.H.7.6. 4.H.8.7.25.H.8.9.

Hollow wares.

3 ¶ No perſon ſhal make any hollowe wares of pewter vz. Potts and Pottes that are made of pewter, called lay mettall, but that it be after the aſſiſe of pewter lay mettal wrought wᵗin London. And the makers of ſuch wares, ſhal marke the ſame with ſeuerall markes of their owne, to the intent that they ſhal auowe the ſame wares by thē wrought, and al ſuch wares not ſufficiētly made and not marked in fourme aforeſaied, founde in the poſſeſſion of the ſame maker, or Sellour, ſhalbee forfayted. And if the ſame ware be ſold, the maker ſhall forfayt to the vſe of the Queene, and of the fynder, or ſearcher, or of hym that wyl ſyle or ſue for the ſame by A. I. &c. the value of the ſame ware, ſo vnlawfullye wrought and ſolde. 19.H.7.6.4.H.8.7. 25.H.8.9.

Marking of veſſel.

Occupying falſe beames or waights about braſſe or pewter.

4 ¶ If any perſon vſing buying and ſelling of pewter or braſſe vſe occupie any deceyuable, vntrue, or falſe beames, or waights of the ſaid wares, he ſhal forf. to the K. and the party that wil ſue, by bil of debt yr.s. wherein no P. C. &c. And alſo the partie ſo offending ſhal forf. his beame, to him y̑ ſhal ſeiſe it. And if the ſaid offender be not ſufficient to pay the ſaid ſumme by him ſo forf. then it is lawful to the Maiors, Bailiffes, or other head officers of ſuch Cities where any ſuch offēdors ſhalbe foūd, to put him in y̑ ſtocks, and ſo to kepe him vntil the next market day, next adioining, and the market place to put him on the pillory al the market time. 19.H.7.6.4.H.8.7.

Serchers of pewter & braſſe.

5 ¶ It is lawful for the maſter, and wardens of the craft of pewterers wᵗin euerie Citie & Borough where ſuch wardens are, and where no ſuch wardens are, for the head officers, or gouernors of the ſame Citie or Borough, to appoint certaine perſons, moſt expert in knowledge of the ſame, to make ſearch in the ſaid Cities & Boroughs where they dwel, And the Juſtices of peace in euery ſhire at their generall Seſſions holden at Michaelmas, ſhall appoint y̑ perſons hauing experience therin, to make ſerch in y̑ prēcinct, in euery part of that ſhire, aſwel wᵗin fraunchiſes as withoute, beeing in Cities & boroughs, where ſerchers be appointed by y̑ gouernors of the ſame), And al ſuch vnlawful pewter, or braſſe, the ſaid ſearchers ſhal find, ſhalbe to the vſe of the Queene & of the ſaid ſearchers. And in default of the ſaid Maſters & Wardens of ſaid occupations, not ſearching in fourme aforeſaid, and ſuffering any ſuch vnlawful mettal is caſt or made, or vnlawfull ware ſold, it is lawful to any perſon hauing ſufficient cūning in the

the said occupations, by ouerlight of the Maioz, Bayliffes, oz other officers of the said Cities Bozoughs and Townes, to search all the said places, and to put the said auctho̅zity and act in execution, in foꝛme aforesaid. 19. H. 7. 6. 4. H. 8. 7.

Serchers of Tinne oz pewter vessel.

6 ¶ If any deceiuable woꝛkemanship of Tinne oz pewter be foũd either in Chargers, Platters, Dishes, Saluers, Potingers, Trenchers, Basons, flagons, Bottels, Potts, Saltsellers, Goblets, Spoones, Cruetts, oz Candelsticks, oz any other such wares of Tynne oz pewter, whatsoeuer it be, cast oz wrought within thys Realme, oz wythout, and brought to bee soulde within thys Realme, it is lawfull to the Mayoz of London, and the Master and wardens of the craft of Pewterers of the sayd City and their deputies, to haue search of the same within the City of London, and the suburbes of the same. And in all other Cities Bozoughes and Townes where any Wardens be oz shalbe, the Maiozes, Bayliffes oz head officers and Wardens haue like auctho̅zytie, and where no Wardens be, then the head Officers, or gouernours, of the same Cityes, Bozoughes, and Townes haue auctho̅zitie to appoynt certaine persons most cunninge in knowledge of the same, to make search within the sayed Cityes, Boroughes, and Townes where they dwel. And if any such newe wares, wrought of Tynne, and Pewter be foumde defective and being in the possession of the Seller, then the same persons that putteth any such newe ware of Pewter to sale, shall forf. the same wares to the Quéene, and searchers, oz finders, oz to hym that wyll seyse oz sue foꝛ the same by A. J. &c. wherein no W. &c. P. &c. But this act concerning the foꝛfaiture is not preiudicial to any person hauing the graũt oz king H. 8. oz of any of his progenitors by his letters patents, of such foꝛf. But euery of them shall vse the same, accoꝛding to their graunts, and liberties. 4. H. 8. 7. 25. H. 8. 9. 33. H. 8. 4.

Wares of tinne made out of this Realme.

7 ¶ No person inhabiting wi̅n this Realme, shal buy or sell by exchang, foꝛ other wares, any wares made out of this Realme of Tinne, oz mixt with Tinne, as Platters, Dishes, Saucers, Pottes, Basons, Ewres, Flagons, Goblets, Saltes, Saltsellers, Spoones, oz any other thing made of Tynne, oz pewter whatsoeuer it be, vppon paine of foꝛfaiture (to the vse of the Quéene and the finders thereof) of the same wares, in whose handes soeuer they may be found oz taken, and also lawfull money currant in this Realme, to the ful value thereof. And it is lawful to the maisters wardeꝛz of ye craft of pewtererz, wi̅n euery city, boꝛough & towne in this Realme, where such wardens be, & where no such wardens be

the head officers, or gouernors of ỹ same citie &c. to appoint diuers persons most expert in knowledg of the same to make search and seisure of al such wares, as shalbe brought contrarie to the true ment of this act, in whose soeuer possessions any such shalbe found 35. H.8.9. And if any person doe vnlawfully withstand, disturbe, or let ỹ said maister, & Wardens or their deputies, or any of ỹ head officers or gouernours of Cyties Townes or Boroughs, where no such Maister & Wardēs are, in serching & seising such wares as shalbe brought into this Realme contrarye to the fourme aforesayed, Then euery such person so offendinge shall forfayt for euery time so doing to the vse of the Quēne and J.b. li. to be recouered by A.J. &c. wherein no W.E.P. &c. 33.H.8.4. Withstanding seisure.

8 ¶ No stranger borne out of this Realme shal vse the sayed craft of pewterers, nor worke any maner of vessel, or other ware aforesaid, to be made of Tynne or pewter, within any place of this Realme, vpō paine of forf. of x.li. to ỹ vse of ỹ Q. & J. to be recouered by A.J. &c. wherein no W.E.P. &c. And also vpō paine of xl. of the same pewter or tinne so wrought, in whose handes soeuer it may be found, or taken. 25.H.8.9.33.H.8.4. No stranger borne shal worke pewter.

9 ¶ No persons being borne within this realme, occupying & exercising ỹ said craft of pewterers, shal resort into any straūge regions, or countries, there to teache, or exercise the said craft of pewterers, vpon paine to lose the priuiledge & benefit of an Englishman. 25.H.8.9.33.H.8.4. No pewterer shal teach or vse his treade in a forein region.

¶ Phisitions.

KIng Henry the eight by his letters patents bearinge date at Westminster the xviij. day of September, in the x. yere of his reigne, did erect, constitute, ordaine and appoint a perpetual College of graue and learned men, which should openly practise physicke, within the Citie and suburbes of London, and within vii. miles euery way round about the same Cytie, And did graunt ỹ men of the same facultie, of, and in the said City, should be in deede and name one bodye and a comminaltie, or Colledge perpetual. And that the same cominaltie, or Colledge may yerely for euer chose and make of their cominaltie some wise man, & expert in the science of Phisicke, to be President of the said Colledge or cominaltie, to ouersee, correct, and gouerne for ỹ yeare the foresaid Colledge or cominaltie, and al men of the same facultie, and their affaires, And that the same President and Colledge or cominaltie should haue perpetual succession, and a common seale commonly to be imploied vnto the busines and vse of the said President The phisitions in London made a body corporat. President of the Colledge. A cōmon seale

dent & Colledge. And that they and their succeſſors for euer ſhould be perſons able & of ſufficient capacitie to purchaſe and poſſeſſe in fee and perpetuity, any lands tenements rents & other poſſeſſions what ſoeuer. And ỹ they & their ſucceſſors might purchaſe aſwell within the Citie as wout, any lands and tenements whatſoeuer not exceeding the value of xij. li. by the yere, notwithſtanding the ſtat. of mortmaine. And that they by the names of the Preſident of ỹ Colledge, or cõminaltie of the facultie of phiſicke in London, may implead and be impleaded before any Iudges, in any courts or actions whatſoeuer, And that the forſaid Preſidẽt, & Colledge or cominaltie and their ſucceſſors may lawfully make honeſt and lawful congregations, ſtatuts, & ordinances for the gouernment, ouerſight, and correction of the ſaid Colledge or cominaltie & of al men practiſing Phiſicke, within the ſaid Citie and vij. miles rõd about, as neceſſitie requireth without impediment of ỹ kinge hys heires, ſucceſſors, or any of his officers. And that no man in the ſaid Citie or within vii. miles compaſſe thereof, ſhal practiſe the ſaid facultie, except he be admitted thereunto by the ſaid Preſident and comminaltie, or their ſucceſſors for the time being, by the letters of the ſaid Preſident and comminaltie ſealed with their ſeals vppon the paine of C.s. for euerie moneth that any which is not admitted, ſhal practiſe the forſaid facultie, whereof one halfe to be imploied to the kings vſe, and the other, to the vſe of the Preſidẽt and cominaltie. And that the Preſident and Colledge of the forſaid comminaltie, for the time being, and their ſucceſſours for euer ſhal yerely chooſe fowre which ſhal haue ỹ ſuruey ſearch, correction and gouernaunce, of al the Phiſitions of the ſaid Citie, vſing the facultie of Phiſicke, within the ſame Citie, and of other forein phiſitions whatſoeuer vſing the ſãe faculty wõin ỹ ſãe citie & ſuburbes or wõin ſeuen miles cõpaſſe of ỹ ſame Citie, & the punihement of them for their offences, in not wel executing doing and vſing thereof, and alſo the ſuruey and ſearch of al manner of Medecines, and their receiptes to be giuen imploied and vſed by the ſame Phiſitions, or any of them, to any of the kinges liege people for the curing and healing of their diſeaſes, as often and whenſoeuer it ſhal be needeful for the profit of the ſame people, ſo that the punihement of the ſame Phiſitions vſing the ſaid facultie ſo offending in the premiſſes, be executed by fines, amerciaments, impriſonment of their bodies, and by other reaſonable and conuenient waies. And that neither the Preſident nor any of the ſayd Colledge of Phiſitions, nor their ſucceſſours, nor any of them practiſinge Phiſicke wythin the forſayed Cytie, ſuburbes, or els where, ſhal be

Sue & be ſued.

Ordinances.

Viii. gouernors.

be sommoned, or putte in any assises, Juries, enquestes, Inquisitions, Attayntes, and other recognisances taken or sommoned within the sayed Citye and suburbes, before the Mayor and Sheriffes, or corroners of ỹ said citie, or any officer or minister of theirs though the same Juries, Inquisitions, or recognysaunces, were sommoned vppon wrytes of ryght. But that the sayed Maisters, Gouernours, Cõmynaltie, and theyr successours, and euery of them practisynge the sayed facultye, shalbee for euer discharged agaynst the sayde Kynge his heires, and successours, and against the Mayor and Sheriffes, of the forsayed Cytie for the tyme beinge, and all their offycers. In the whych letters patents there is a Prouiso, that the said letters or any thing therin contained, shal not be prewdicial to the Citie of London or the liberties thereof. Not sommoned in Juries. The liberties of London saued.

2 ¶After by the statuts made 14. H. 8. 5. & 1. M. 9. ỹ said corporation of the said cõminaltie, & felowshyp of the facultie of phisicke every grant, article, and other thing, contained in the said letters patents, be approued graunted, and confirmed & clerely auctho-rised, and admitted by the same good, lawful, auailable to the said bodie corporat and their successors for euer, in as large maner as may be taken, thought, and construed by the same. The corporation of phisitions confirmed.

3 ¶There shalbe eight personnes of the sayed comynaltye, whych shalbee called Electes, and the same Electes shall yeareshale one of them to bee Presydent of the sayed comynaltye, so as often as any of the Romethes of the same Electes shalbe voyde by death, or otherwyse, then the surviuours of the same Electes, wythin thirtye or forty dayes after the death of any of them, shal chouse and admytte one, or more, as neede shall require of the most cunnynge and expert men of the sayd facultie in London, to supplie the sayed romethe and number of eight personnes, so that hee or they that shalbee so chosen, bee first by the sayed surviuours straitly examinned after a fourme deuised by the said Elects, and also by the said surviuors approued. 3. H. 8. 5. viii. Electors. President.

4 ¶Whensoeuer the Presydent of the said Colledge &c. or such other the said Presydent, and Colledge shal yerely auctho-rise to search examine, and punishe al offendours in the said facultie, within the said Citie and precinct, shal commit any such offendor for his offences or disobedience contrarie to any artycle, or clause contayned in the sayd graunt, or act made 14. H. 8. to any ward, gaole or prison within the sayd Citie and precinct (the Tower of London except): Then the Warden, gaylour, or keeper of ỹ prisõ shal Imprisonment of offendors.

receiue

receiue into his prison euery such person so offending as shalbe so committed to him, and there shal saflie keepe him at the proper costes of the said person so committed without baile or mainprise vntil such offendor be discharged of the said imprisonment by the said President, and such persons as by the said Colledg shalbe authorised, vpon paine that euery such warden, gailor &c. doing contrarie, shal forfait to the vse of the Quéene and the said President and Colledge, the double of such fine and amerciament as such offendor or disobedient shalbe assessed to pay by such as the said President and Colledg shal aucthorise, so that the same fine and amerciament be not at any time aboue xx.li. to be rec. by A. &c. wherein no W. &c. E.vi. &c. 1. M. 9.

Phisitions discharged to be officers in London.

5 ¶ The President of the said comminalty, and euery fellow therof, and their successours shalbe discharged to keepe any watch or ward in the Citie of London, or the suburbes of the same. And they nor any of them shalbe chosen Constable, or any other officer in the said Citie or suburbes. And if the said President or any of the said fellowes be appointed or elected to any watch, or ward, office of Constable, or other office within the said Citie or suburbes, the same appointment or election shalbe void. 32. H. 8. 40.

Euery phisition shalbe allowed by the Bishop of the dioceese.

6 ¶ No person out of the Citie of London, and precinct of vii. miles of the same (except he hath ben approued in the same) shall take vpon him to exercise & occupie as a phisitiō in any dioces within this Realme, but if he hath bene first examined and approued by the Bishop of the same dioces, or he being out of the dioces by his Vicar general, either of them calling to them such expert persons in the said facultie, as to them shal seme good, and graunt their letters testimonial vnder their seale to him that they shall so approue, vpon paine of forf. for euery moneth that he doth occupie, not examined and approued v.li. to the vse of the K. and to be recouered by A. of debt, wherein no W. P. &c. But this act is not preiudicial to either of the vniuersities of Oxford or Cambridg, or to any priuiledges graunted to them. 3. H. 8. 11. And by the same statut it was further enacted that no person within London or vii. miles compasse, should occupie as a phisition except he be first approued, and admitted by the Bishop of London or the Deane of Powles, calling to him iiii. Doctors in phisicke. Vid. 1 & 2. & Quere.

Quere.

Euery phisition shalbe allowed by the President & iii. Electes.

7 ¶ No person shalbe suffered to practise in phisicke, throughout England, vntil he be examined at London by the President of the Colledge of the facultie of Phisicke, and iii. of the Electes, and hath from the said President or Electes letters testimonials

their approuing & examination, except hée be a Graduat of Oxford or Cambridge, which hath accomplished al thinges for his formes without any grace. 14. H. 8. 5.

iiij. Phisitions shal search potecarie wares.

8 ¶ The President for the time being, cõmons & fellowes of the felowship of the facultie of Phisicke in London, & their successors, may yerely elect iiij. persõs of the said fellowes, of the best learned, wisest and most discrete, and the said iiij. persons so elected after a corporal othe to them ministred by the sayde President or his deputie, haue authoritie as often as they shal thinke conuenient, to enter into the house of all and euery pothecary vsing the mistery of a pothecary within the said Citie, onely to search, view and see such pothicary wares, drugges, and stuffe, as the sayde pothecaries or any of them haue in their houses, and al such wares drugges & stuffe as the said iiij. persones shall then find defective, corrupted, and not meete to be ministred in any medicines for the health of mans bodye, the same iiij. persones calling to them the Wardens of ỹ said misterie of pothecaries wtin the said Citie, or one of them, shal cause to be burned, or otherwise destroy the same, as they shal thinke meete. 32. H. 8. 40. But if the said Warden, or wardens do refuse, or delay his or their comming therunto forthwith, when the saide President or iiij. of his colledge elect do call vpon him or them, then the saide Phisitions, may & shall execute ỹ search and view, and the due punishment of the pothecaries for a-ny their euil and faultie stuffe, without the assistance of any of the said Wardens. 1. M. 9. And if any of the sayd pothecaries at anie time do obstinatly or willingly refuse, or deny the said iiij. persons to enter into his house, for ỹ causes before rehearsed, then for euery time that he doth so offend, he shal forf. to the M. and J. v. li. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 32. H. 8. 40. And euery such person as wil resist such search, shal forf. x. li. to the M. and the said President & Colledge, to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 1. M. 9.

Electz refusing to be swoorne, or to make search

9 ¶ If any of the saide iiij. persones so elected, do refuse to bée swoorne, or after his othe to him ministred, do obstinatly refuse to make the saide search once in the yeare, at such time as they shall thinke conuenient, hauing no lawfull impediment by sickneesse or otherwise to the cõtrarie, thẽ for euery such obstinat default, euery of them making default, shal forf. xl. s. 32. H. 8. 40.

Other magistrates shal assist the phisitions.

10 ¶ Al Justices, Maiors, Sherifs, bailifes, constables & other ministers & officers wtin the City & suburbes of London, and vij. miles compas of the said citie, vppon request to them made, shall ayde and assist the President of the sayde Colledge, & al persons by

them from time to time aucthorized, for the due execution of the forelaid stat of 14.H.8.& 32.H.8. vpon paine for not giuinge of such aide, helpe, & assistance to runne in contempt of the Quenes maiestie, her heires and successors. 1.M.9.

1 That no Phisitions may practise surgerie, S. Surgeons, 2.

¶Piracie.

Trial of offeces done within the Admirals iurisdiction.

ALL treasons, felonies, robberies, murders and confederations, committed vpon the sea or in any other hauen, ryuer, creeke, or place where the Admirall hath, or pretendeth to haue iurisdiction, shalbe inquired, tried, heard, determined and iudged in such shires and places in the realme, as shalbe limitted by the Quenes commission, or commissions, to be directed for the same, in like forme, as if any such offences had bene cõmitted vpon the land. And such commissions shalbe had vnder the great seale, directed to the Admiral, or to his lieutenant, & deputie, and to iij. or iiij. such other as shalbe appointed by ỳ Lord Chaũcelor, as oft as neede shall require to heare & determine such offences after the common course of the lawes of this land vsed for treasons, felonies, robberies, murders, & confederacies of ỳ same, cõmitted vpon the lãd wĩn this realme. 28.H.8.15.S. Treason. 13. That the trial of treasons shalbe according to the due course of the common lawe. Et ideo quere.

Quere. The cõmissioners aucthoritie.

2 ¶Such persons to whom such commissions shalbe directed, or iiij. of them at the least, shall haue power to enquire of such offences by the othes of twelue good and lawfull inhabitants in the shire, limitted in their commission, in such maner, as if such offences had bene committed vpon the land, within the same shire, and euery indictment found and presented before such commissioners of any treasons, felonies, robberies, murders, manslaughters, or such other offences committed vpon the seas, or vpon anie other hauen, ryuer or creeke, shalbe good and effectuall in the lawe: and if any person happen to be indicted for any such offence done vpon the seas, or in any other place aboue limitted, then such order, proces, iudgement, and execution shalbe vsed, and made to & agaynst euery such person so indicted, as against traytors, felons and murderers, for treason, felony, robbery, murder, or other such offences done vpon the land. And the trial of such offence, if it be denied by the offendor, shalbe had by twelue lawful men inhabited in ỳ shire limitted within such commissiõ, and no challenge to be had for the hundred. And such as shalbe conuict of any such offence by verdict, confession, or procesle by aucthoritie of any such commission, shall suffer such paines of death, losses of lands, goods, and cattels, as if they

they had bene attainted and conuicted of any of the saide offences done vpon the land. An.28.H.8.15.

3 ¶This Act shal not be preiudicial to any person for taking any vitaile, gables, ropes, ankers, or sailes, which he, compelled by necessitie, taketh in any shippe, which may conueniently spare the same, so the same person pay out of hand for the same vitaile, cables, &c. money, or money worth, to the value of the thing so taken, or doth deliuer for the same a sufficient Bill obligatorie to bee paide in forme following. vz. if the taking of the same things be on this side the straites of marroke, then to be paide within iiij. moneths, and if it be beyond the said straites, then to be paide within vi. moneths next ensuing the making of such billes, and that the makers of such billes truely pay the same debt at the day limitted within the said Billes, 28.H.8.15. Things taken vpō necessitie.

4 ¶Whensoeuer any such commission for the punishment of any of the offences aforesaide shalbe directed to any place within the iurisdiction of the fiue portes, Then it shalbe directed vnto the Lord warden of the said ports, or to his deputy, and vnto iii. or iiii. such other persons, as the Lord Chauncelor shal appoint. And euerie inquisition and trial there, of any of the offences aforesaid, shal be made by the inhabitants in the said fiue ports, or the members thereof. 28.H.8.15.S.Admiral.2. Cōmissions directed into the v. ports.

Playes and Games.

NO person by him selfe, or any other, shall for his gayne or lyuing, keepe or maintaine any common house, alley, or place of bowling, quoyting, closhe, cayles, halfe bowles, tennis, dicing, table, or carding, or any other maner of game prohibited by any estatute, or any vnlawful new game now inuented or made, or any other new vnlawful game hereafter to be inuēted, foūd or made, vpon paine to forfeit for euery day keeping or maintaining, or suffering any such game to be had, kept, executed, plaied or maintained within any such house, gardeine, alley, or other place, contrarie to the forme & effect aforesaide, xl.s. And also euery person, vsing & haunting any of the sayd houses, & places, & there playing, shal forfeit for euery time so doing. vi.s. viii.d. 33.H.8.9. Maintenance of houses for vnlawful gāes

2 ¶If any person sue for any placard to haue common gaming in his house, contrary to this statute, Then it shalbe contayned in ỹ same placard what game shalbe vsed in ỹ same house, and what persons shall play thereat: And euery placard graunted to the contrary shalbe voyd. And also the party obtaining any such placard, before he put the same in execution, shalbe bounde with Playing at vnlawful games.

Placardes.

sufficient suerties with him by recognisance in the Chaunceric, in a certaine summe to be appointed by the Lord Chauncellour, that he shal not vse the said placard contrary to the fourme thereof. 33. H.8.9. But by the statute made, An.2.& 3.P.& M.9. Euery lycence, placard, or graunt, before that time made to any person or persons, for the hauing, maintaining, or kéeping of Bowling Alleis, dicing houses, or other vnlawful games prohibited by ỳ lawes and statutes of this Realme, were made voide.

Persons prohibited to play at vnlawful games.

3 ¶ No artificer or craftesman of any handy craft, husbandman, apprentice, labourer, seruant at husbandry, tourneyman, or seruant of artificer, maryners, fyshermen, waterman, or anie seruingman, shall play at the tables, tennis, dice, cardes, bowles, clashe, coyting, logating, or anie other vnlawfull games out of Christmas, vnder the paine of twenty shillings to be forfaited for euery time, and in Christmas to playe at any of the saide games in their masters houses, or in their masters presence. But it is lawfull for euery master to lycence his seruants to play at Cardes, Dice, or Tables, with their master, or anie other gentleman repairing to their master, openly in his house, or in his presence, and it is lawful for euery such seruant, for euery time so being licenced as is aforesaid, to play &c. 33. H.8.9.

Playing by lycence.

Bowling.

4 ¶ No person shal at any time play at any Bowle, or bowles in open places, out of his garden or orchard, vnder ỳ paine for euerie time so offending to forfait fyue shillings eight pence. But it is lawful to euery noble man, and other, hauing lands, tenementes, or other yearely profits, for terme of life, in his owne right, or in his wiues, to the yearely value of C.li. or aboue, to commaund or lycence his seruantes of his house for to play within the precynct of his house, garden, or orchard, at Cardes, dyce, Tables, bowles, or Tennis, al well amongst them selues, as other, repairing to the sayde house, and they so playing by commaundement or lycence shall not incurre any penaltie contayned in this act for the same. 33. H.8.9.

Magistrates may represse vnlawful games.

5 ¶ It is lawful to all and euery the Iustices of peace in euerie shire, Maiors, Sheriffes, Baylifes and other head officers, within euerie City, Towne, and Borough, from time to time al well within liberties, as without, as nede and case shall require, to enter and resort into all houses, places, and Alleis where vnlawfull games shalbe suspected to bee holden or vsed, contrarie to this statute: And al well the kéepers of the same, as also the persons there resorting and playing, to arrest and imprison, and to kéepe in prison, vntill the kéepers of the sayde playes and games,

haue

haue founde ſuerties to the Quéenes vſe, to be bound by recognyſaunce or otherwiſe, no longer to kéepe or occupie any ſuch houſe, playe, game, alley, or place, And alſo the perſons there ſo founde ſhall in like caſe be bound by them ſelues, or elſe with ſuerties by the diſcretion of the Juſtices, Mayors, Sheriffes &c. no more to play, haunt, or exercuſe from thenceforth, in, at, or to any of the ſayde places, or games. And all Juſtices of peace, Mayors, and head Officers &c. and euerie of them, finding or knowing anie perſon vſing any vnlawfull games contrarie to this ſtatute, haue authoritie to commit euerie ſuch offender to warde, there to remaine without bayle or mainprize, vntill ſuch time he be bound by obligation, to the Quéenes vſe, in ſuch ſumme of money as by the diſcretion of the ſaid Juſtices, Maiors, Bailifs, &c. ſhalbe thought reaſonable, that he ſhall not from thenceforth vſe ſuch vnlawfull games. 33. H. 8. 9.

6 ¶ If the Maiors, Sheriffes, Bayliffes, Conſtables, & other head officers within their Cities, Boroughs and townes, aſwell within franchiſes as without, do not make due ſearch weékely, or at the furtheſt once euery moneth, if the caſe ſo require, in all plaées, where any houſes, alleys, playes, or places of vnlawful games ſhal bée ſuſpected to be had and maintayned, and do not execute the ſtatute in all things, according to the purport of ỳ ſame, Then euerie ſuch Maior, or other head officer, ſhall forfait for euerie moneth, not making ſuch ſearche, nor executing the ſame, forty ſhillings. And all Mayors, Bayliffes, Sheriffes, and other head officers, ſhall once euerie quarter, make proclamation of this ſtatute in euerie market holden within their ſeuerall iuriſdictions. And in like ſort ſhall the Juſtices of Aſſiſe, Gaole deliuerie, and peace in their ſeuerall circuites and ſeſſions before them holden, to the intent euerie perſon may haue knowledge of the ſame. 33. Hen. 8. 9.

Officers ſhall make ſearche where vnlawful games be.

Proclamation of this ſtatute.

7 ¶ Where any forfayture giuen by this ſtatute ſhalbe found in any fraunchiſe, léete, or lawdaye, the Lorde of the ſame ſhall haue the one moitie thereof, and any of the Quéenes ſubiects ſhal haue the other that will ſue for the ſame in any of the Quéenes Courtes, And where ſuch forfayture ſhalbe found out of the precinct of any fraunchiſe, léete, or lawday, the one moitie thereof ſhalbe to the Quéene, and the other to any of her ſubiectes that will ſue for the ſame, by A. J. &c. wherein no Wager, Eſſoyne, Protection &c. But all informations, actions, ſuites. &c. that ſhalbée ſued vppon anie part of this ſtatute, ſhalbée commenced within the yeare after the offence committed, or otherwyſe no

Who ſhal haue the forfaitures.

aduantage thereof shalbe taken. 33. H. 8. 9.

¶ Poore people.

The helpe and speede of poore persons in suit.

EVerie poore person which shall haue cause of action agaynst anie other, shall haue by the discretion of the Chauncellour, writtes originall, and writtes of Sub pœna, according to the nature of his cause, nothing paying to the Quéene for the seales of the same, nor to any person for the writing of the same writtes, and the saide Chauncellor shall assigne such of the Clerkes, which shall vse the making and writing of the same writtes, to write ỳ same readie to be sealed, and also learned Counsell and Atturneis for ỳ same, without any reward taking therefore. And after the sayde writtes be returned, if it be before the Quéene in her Benche, the Justices there shall assigne to the same poore person counsell learned by their discretions, which shal giue their counsell, nothing taking for the same. And in likewise the Justices shall appoynt Atturneis for the same poore person, and all other Officers requisite to be had for the spæde of the saide suites, which shall do their duties without any rewardes for their counselles, helpe, and busines in the same. And the same lawe and order shalbe obserued of all such suites to be made before the Quéenes Justices of her Common place, and Barons of her Eschequer, and all other Justices in Courtes of Recorde, where any such suites shalbe. 11. Henrici. 7. 12.

Order for the placing and retiefe of the poore.

2 ¶ Anno. 14. El. 5. it was enacted that the Justices of peace of all the shires of Englande and Wales, and all other Justices of the peace, Maiors, Sherifes, Bayllifes, and other Officers of euerie Citie, Borough, Riding and fraunchises within this Realme, whereof they be Justices within the limittes of their authoritie, should immediatly after deuide them selues, and so being deuided, should within euerie of their seuerall diuisions and authorities make diligent inquirie of all aged, poore, impotent, and decayed persones, borne within their sayde diuisions and limitts, or which were there dwelling within three yeares next before the sayde Parliament, which liue, or of necessitie be compelled to liue by almes of the charitie of the people abiding within the limittes of their Commissions, and should vpon that searche make a register booke containing the names and surnames of al such aged, decayed and impotent poore people as be within their sayde limits, which shall alwayes remayne with the sayde Justices, or other head Officers or one of them. And when the number of the said poore people bée by that meanes truely knowen, then the sayed

Justices

Iuſtices, Mayors, and other Officers, ſhould within like conuenient time, appoint within euerie their ſeueral diuiſions, conuenient places to ſettle the ſame poore people for their habitations & abidings, if the pariſhe within the which they ſhalbe founde, ſhall not, or will not prouide for them. And ſhould alſo within like conuenient time, number all the ſaide poore people within their ſayd ſeuerall limittes, and thereupon hauinge regarde to the number ſet downe what portion the weekely charge towards the releife of the ſayde poore people will amount vnto, in euerie their ſeuerall diuiſions, and that done they ſhould aſſeſſe al & euerie the inhabitants, dwelling in euerie Citie, Borough, Towne, Village, Hamlet, and place knowen within the ſayde limittes to ſuch charge, as euerie of them ſhall weekely contribute towardes the relife of the ſayde poore people, and the names of all ſuch inhabitantes taxed, ſhould alſo enter into the ſayde Regiſter booke, together with their taxation, and alſo ſhould within euerie their ſayde diuiſions, appoint Collectours for one whole yeare, of the ſaide weekely portion, which ſhal collect the ſaide portion, and make deliuerie of ſo much thereof to the ſayed poore people, as the ſaide Iuſtices, Mayors, and other officers ſhall appoynt them. And alſo ſhould appoynt ouerſeers of the ſayde poore people, to continue for one yeare, and if they refuſe to be ouerſeers, then euerie of them to forfait tenne ſhillings for euerie ſuch default, decimo quarto Elizabeth quinto.

Habitatiõs for the poore.

Releefe of the poore.

Collectors for the poore.

Ouerſeers of the poore.

3 ¶The Mayors and other head Officers of euerie Citie, Borough, or Towne corporat, or their ſufficient deputies, and the Conſtables or Tithingmen of euery Hundred, Rape and Wapentake, within euerie the ſhires in England and Wales, in euerie ſuch abiding place within their hundreds and precinctes appointed to ſettle the poore people in, ſhal once euerie moneth next after the ſayd places be inhabited with ỳ ſaid poore people, according to the intent of this act, make a ſearch of al the aged, impotent and lame perſons within the precinct of their iuriſdictions and all ſuch perſons as they ſhal finde not being borne within that diuiſion, nor within the ſaid Cities, Boroughs or Townes corporat, then ſhal they preſently ſée them, not there borne, nor dwelling within the ſayd iij. yeares, (except leprous and bedred people) to be conueyed on horſebacke, cart, or otherwiſe, as they ſhal thinke good, to ỳ next Conſtable, and ſo from Conſtable to Conſtable, the direct way, til the ſaid perſõ be brought to the place where he or ſhe was borne, or moſt cõuerſãt by the ſpace of iij. yeres next before, & there to be put in one of the abiding places in that countrie appointed for the

Search & remouing of poore perſons.

habitation of the powre, and there to be kept of almes as is afore-sayde, vpon payne of xx.s. to bee forfaited by euerie Officer that neglecting. 14. El. 5.

Poore refusing to be bestowed, or departing & begging.

4 ¶ If any of the saide powre people, vpon the appoyntment of the sayde Justices or other officers, refuse to be bestowed in any of the saide abiding places, but couet still to holde on his trade of begging, or after he be once there bestowed, do departe & begge, then for the first offence he shalbe accompted a vagabond, and suffer as a vagabond in the first degree of punishment, and if hee do the second time offende, then he shalbe esteemed as a vagabond, and suffer as a vagabond in the last degree of punishment in all poyntes. 14. El. 5.

Refusing to be a Collector for the poore.

5 ¶ If any person appointed to be a Collector, as is afore-sayde, shall refuse the saide office, or shal after he hath agreed to it neglect the same, he shall forfait for euerie offence to the vse of the powre of the same place, forty shillings, to be leuied by distresse, or recouered by action, bill, playnt, or information, in any Court of Record, or Lordes Court, by the high Constables or Tythingmen aforesayd, in which no W. E. P. &c. And if the sayde high Constables shal be negligent to sue, or shall refuse to sue the saide Collectors & euerie of them, within two moneths nert after such refusall or negligence, Then the said high Constables or Tithingmen shal forfait v.li. to the vse of the powre of the same place, to bee sued for by and in the name of two of the nert Justices of the said place, being out of Cities, Boroughs & townes corporat, If within: then by the bayllifs, head officers &c. of the said cities &c. in any Court of Record, or Lordes Court, by A. J. &c. wherein no W. E. P. &c. And all forfaitures appointed or to growe by this statute (except the forfaitures of Justices of peace) shall wholly go & be imployed to the vse of the powre aforesaide, & shalbe leuied by distrelle by discretion of the Justices of the same countie or two of them, or other head officers aforesaid. 14. El. 5.

How the forfaitures shalbe imployed.

Collectors accompt.

6 ¶ Euerie of the said Collectors shall make their accõpt halfe yerely of their said collection, to ij. Justices of the peace, dwelling nert to ỹ said abiding place or places, not being within any citye, borough or towne corporat, or to the chiefe officers &c. of the sayd cities &c. & whẽ they go out of their offices, they shal deliuer forthwith vpon their accõpts, all such surplusages of their collection, as shal then remaine vndistributed, to be ordered by the sayde Justices or head officers, vpon paine of x.li. If any such Collector shall refuse to make his accõpt, or neglect ỹ same, by ỹ space of xiiij. dayes after request to him therfore made, thẽ ỹ said ij. Justices or one of them

them shal committ him to the next Gaole for the saied Countie, there to remaine without baile or mainprise, till he hath made his said accompt & deliuerie of al such surplusages, as he hath receyued 14. Eliz. 5.

7 ¶If any person being able to further this Charitable worke will obstinatly refuse to giue towardes the relefe of the said poore people, or doe wilfully discourage others from so charitable a deede he shal presently be brought before two Justices of ỹ peace, where of one to be of the Quorum of the same Countie, to shewe the cause of his obstinate refusall, or wilfull discouragement, and to abide such order therein, as ỹ said Justices shal appoint, if he doe refuse so to do, then to be cõmitted to the next gaole of the said shere there to remaine vntil he be contented with their said order, & doe performe the same. 14. El. 5.

Refusing to giue relefe to the poore, or discouraging others.

8 ¶If any of the said aged and impotent persons, not being so diseased, lame, or impotent, but that they may worke in some maner of worke, shalbee by the ouerseers of their saied abidinge place appointed to worke, if they refuse, then they shalbe whipped & stocked for their first refusall, and for their second refusall bee punished as in case of vagabondes in the first degree of punishmẽt. 14. Eliz. 5.

Impotent persons appointed to worke.

9 ¶If any impotent person hauing a competent allowaunce prouided for him within his parishe, shall notwithstanding without licence wander abrode, loytering and begging, he, or she shall for his or her first offence, be whipped, & so returned againe vnto his &c. Parishe. And if such person shall then eftsones offend, being so prouided for, then he shall suffer as a Roge in the first degree, and if the said person shall then eftsones offende, then he shall suffer such paines and forfaitures, as a Roge in the second degree ought to doe, and so such further paines and penalties, as by the statute to Roges is limitted, which offences shalbe tried, inquired of, heard, and determined, as the like offences of other Roges. 18. Eliz. 3.

The poore hauing allowance shal not wander abrode without licence.

10 ¶Three Justices of peace, whereof one to be of the Quorum, with the surplusages of the saied collections & forfaitures, (the said poore and impotent people satisfied and prouided for) shal in such conuenient places within their sheres, as they shal thinke meete, settle to worke the Roges that shalbe disposed to worke, borne within their Counties, or there abiding for the most part, within three yeres, there to be holden to worke by the ouersight of the said ouerseers, to get their liuings and to be sustained onely vpon their labour, 14. El. 5.

The imploying of the surplusage of the collection.

11 ¶It

Licence to begge.

11 ¶It shalbe lawfull for ẏ Justices of peace in their open ſeſſions, or for the moſt part of them there assembled, within any ẏ counties, Cities, or Townes where collection of money cannot presently be had as this act appointeth, to graunt licence vnder their handes & seales, to such & so many of the said poore and impotent, or diseased persons, or to any other persons by the said Justices assigned for the said poore, to aske, gather, & receiue, within some other Towne, Parishe, or Parishes of ẏ said Countie, as ẏ said Justices there then shal specially assigne, the charitable deuotion almes at ẏ houses of the inhabitãts of such Townes or Parishes, so that they doe appoint ẏ said poore so to be relieued onely within the Townes, & Parishes being within the diuisions of the said Justices, that so shall giue any such licence or licences. And the inhabitants of euerie such Parish, to ẏ which such poore or impotent persons shalbe so appointed, shalbe bound vnder such paine, as in the discretion of the said Justices &c. shal seeme conuenient, to relieue the said poore and impotent persons, in such sort, as the said Justices there assembled shall appoint. And if any Citie or towne corporate, haue in it more poore folkes, then the inhabitants there of shalbe able to relieue, in such case, vpon certificat thereof made and of the number and names of the persons with ẏ which they be so surcharged, vnto ẏ Justices of ẏ peace of the coũtie in which such citie, or towne corporat shalbe situat, at their quarter sessions by the Justices of peace of the said Countie, & the Maior and other head officer of the same Citie or Towne corporat, the Justices may in the same sessions cause the same poore folkes so certified to be relieued, by giuing of licence to begge, or otherwise, in some other places of ẏ said countie, out of such Citie or Towne corporate so surcharged. 14. El. 5.

Relieuing of those which haue licences.

Cities or Townes corporate ouercharged with poore.

A Citie being a coũtie in it selfe ouer charged with poore.

12 ¶If any Citie or Towne corporate, haue in it more impotent and poore folkes not able to labour, then the same is able to relieue, & the said Citie or Towne is a Countie of it selfe, or situate in one Coũtie, and immediatly adioyning to an other, in the Cities or Townes, the Maior or head Officers of the same shall make certificat to the Justices of the Counties adioyning, who in their generall sessions shal giue licence, and followe the order aboue remembred, according as other Justices of the Counties ẏ which any Towne or Parishe surcharged standeth, are authorized to doe. 14. El. 5.

Money gathered in London Countrie, Gloucester.

13 ¶Euery summe of money collected within ẏ cittie of London, and the liberties of the same, by vertue of thys act, shall be paied vnto the Gouernor of the Hospital of Christes Church, within

ſaide Citie. And euery ſumme collected within the Citie of Couentrie and the liberties of the ſame, by vertue of this Act, towards the maintenance and reliefe of the Hoſpitall of poore people erected in the ſame Citie, ſhalbe paied vnto ſuch Gouernors of the ſaid Hoſpitall, as ſhalbe appointed by the ſaid Maior and Aldermē of the ſaid Citie &c. And euery ſumme collected or paied within ỹ Citie of Glouceſter, ỹ liberties & limits of ỹ ſame, for the vſe & releefe of the poore, & euery other relyefe which ſhalbe payable &c. wᵗhin ỹ ſaid citie &c. towards the releefe of the ſaid poore, ſhalbe payed at the onely diſpoſition of the Preſidēt & Gouernours of the Hoſpitall of S. Bartholomew. And the ſaid ſummes ſhalbe frō time to time diſtributed & beſtowed for the releefe of ỹ poore of the ſame ſeuerall Cities, according to the diſcretions of ỹ foreſaid ſeuerall Gouernours. 14. El. 5.

No roge ſhalbe brought out of Ireland or the Iſle of Man.

14 ¶ No perſon hauing charge of any voyage in paſſing from Ireland, or from the Iſle of Man into this Realme, ſhall willingly tranſport, or ſuffer to be tranſported in any ſhippe, Veſſel or Boate out of Ireland, or the ſaid Iſle of Man into England or Wales, any Vagabond, Roge, or Begger, or any ſuch as ſhalbe forced, or like to liue by begging, being borne in Ireland, or in ỹ Iſle of Mā, vpon paine to forfeit for euery ſuch vagabonde &c. being tranſported and ſett on lande in any part of England or Wales xx. s. to ỹ vſe of the poore of the ſame Pariſhe in which they were ſette on land, to be leuied by the collectours of the ſame poore, by ſeiſure & ſelling of any the goods and cattels of the ſame perſon, which ſo ſhal tranſport any ſuch vagabond &c. to the value of the ſame forfaiture, and vpon paine that the ſame vagabondes, roges and beggers ſo ſet on land, to be puniſhed as other vagabonds. And if any ſuch Maniſke Iriſhe Roge or begger, ſhalbe ſet on lande in any part of England or of Wales, the ſame ſhalbe conueied to the next Port, in, or nere where he was landed, and from thence to bee tranſported at the common charge of the Countie where hee was ſett on land into thoſe partyes from whence hee came. Anno. 14. Elizabeth. 5.

Iriſh roges carried backe againe.

How he ſhalbe relieued which is grieued with any taxation.

15 ¶ If any perſon ſhal find him ſelfe grieued with any taxation ſett vpon him by vertue of this Act, it ſhalbe lawfull for hym at the next generall ſeſſions of peace holden within ỹ ſame Shere where ỹ taxation ſhalbe, to make cōplaint thereof to the Juſtices of ỹ Bench, & to be eaſed of his exceſſiue charge by the diſcretion of the whole bench, or the moſt of them. 14. El. 5.

They ſhalbe licenced which reſort to Bath or Buxtons.

16 ¶ No diſeaſed or impotēt poore perſon liuing on almes ſhal remoue from their dwelling places to the Citie of Bath, or to the Towne

Towne of Buckston &c. to the Bathes there, for ease of his griefe vnlesse he be not onely licenced so to doe by two Iustices of peace of the Countie where he shall dwell and remaine, but also prouided for by the inhabitants of such Hundreds, Parishes, or places, from whence he shalbe so licenced to trauell, of such reliefe for and towardes his maintenance, as shalbe necessarie for him, for the time of his abode at the said Citie or towne, and returne home againe, as shalbe limitted by the same licence, vpon paine to be punished and vsed as a vagabond. And the inhabitants of the same Citie & Towne shal not be charged by this act, with ẏ finding or reliefe of any such poore people. 14. El. 5.

Disposition of money giuen to charitable vses.

17 ¶ Whereas any person by his lawfull erectiõ, hath appointed any summe of money, rents, reliefes or commoditie to the vse of the poore, or for the repairinge of highe waies, or bridges, not beeing taken away by act of Parliament, whither the same be in any Cathedrall Church, Colledge, or else where, the Bishop of ẏ Diocesse or his Chauncellour, within which the said Cathedrall Church, Colledge or place is, and the Iustices of peace of ẏ Countie within the which ẏ said Cathedrall Church, Colledge or place is, or three of them, (whereof one to be of the Quorum) haue authoritie from time to time, to examine after what manner ẏ said money, rent, reliefe, or commoditie is bestowed, and to call to account, ẏ parties which do detaine the same, & thereupon to take such order, for the distribution thereof, as to their discretions shall seeme most agreeable, to the good intent of the founders, giuers, or graunters, and thereof to make certificat in ẏ Chauncerie once in euerie yere. 14. El. 5.

Reliefe of prisoners within the Gaole.

18 ¶ It shalbe lawfull for the Iustices of peace of euery shere within this Realme, at their quarter sessions, or the most part of thẽ being then present, to tare euery Parish within ẏ said shere, at such reasonable summes of money, towards ẏ reliefe of ẏ prisoners beeing within ẏ cõmon Gaoles of the said shere, as they shall thinke conuenient, so that the said taxation doth not exceede aboue vj. d. or viij. d. by ẏ weeke out of euerie Parishe. And the Churchwardens of euery Parishe shall euerie Sunday leuie the same, & once euerie quarter in the yeare pay to ẏ high Constables, or head Officers of euerie Towne, Parishe, Hundred, Kyding, or wapentake, al such summes of money, as their Parishe shalbe rated, towardes the reliefe of the said prisoners wythin their Parishes. And the saied highe Constables and head officers, shall pay all such summes of money so to them paied at euery quarter Sessions, to such sufficient persons dwelling nighe the said Gaoles

as shalbe

shalbe appointed by the said Justices to bee there readie to receiue the same, And the Collectors shal weekely distribute all such summes of money, as euery of them shall receyue for the relefe of the said prisoners, vppon paine aswell the said Churchwardens of euery Parishe, Constables and head Officers of euery Hundred or wapentake, as also the said Collectors appointed for the collection and contribution of the said prisoners so makynge default, to forfait v.li. to the Quéne &c. and to the relefe of the prisoners. 14. El. 5.

19 ¶ This Act shall not extende to the poore people in ỹ kings Hospital in Southwarke, nere adioining to the City of London, but the Maior, Comminaltie and Citizens of the said Citie, shall onely haue the gouernement of the said Hospitall, and of the poore people therein. Neither shal this Act extende to disinherite or hinder Iohn Dutton of Dutton in the Countie of Chester Esquire, his heires or assignes, concerning any libertie, iurisdiction, inheritance &c. which he vseth or ought to vse wiin the Coũtie of Chester, Citie of Chester &c. by any auncient charter, prescriptiõ or title. 14. El. 5. 18. El. 3.

The kinges Hospitall in Southwarke.

Dutton.

20 ¶ In euerie Citie & Towne corporat within this Realme competent store and stocke of Woll, Hempe, Flaxe, Iron, or other stuffe by the appointment and order of the Maior, Bailifes Iustices, or other head Officers, hauing rule in the said Cities, Townes corporat (of them selues and all other inhabitaunts, within their seuerall auctorities, to be tared, leuied, and gathered) shalbe prouided. And likewise in euery other Market towne, or other place within euerie Countie of this Realme, (whereto ỹ Iustices of peace, or greater part of them in their generall sessions next after Easter, within euery limite shalbe thought most meete) a like competent store and stocke of Woll, Hempe, Flaxe Iron, or other stuffe, as the countrie is most meete for, by order of the said Iustices (of al the inhabitants within their seueral auctorities, to be tared, leuied and gathered) shall be prouided, the sayd stocks and stores in such Cities and Townes corporat to be committed to the custodie of such persons as shall by the head officers hauing auctoritie there, be appointed, and in other Townes and places to such personnes as to the said Iustices of the peace or the greater part of thẽ, in their generall sessions, in their seuerall coũties shalbe appointed, and euery perso refusing to pay, or not paying any summe of money vpon him tared towards the said stocks at such tyme as he shalbe appointed, shall forfait double so much. 18. El. 3.

A stocke to sett poore people on worke.

21 ¶ The

Collectors and gouernors of the poore.

21 ¶The said persons so appointed, shall haue authoritie by ẏ aduise of them who do appoint them, to dispose, order, & giue ru- les for ẏ diuision and maner of working of the saied stockes and stores, who shalbe called the collectors & gouernors of ẏ poore, to the intent euery such poore and needie person, old or yong, able to do any work standing in necessitie of relefe, shal not for want of work, goe abrode eyther begging, or cõmitting pilfering, or other misdemeanor, liuing in idelnesse, which collectors and gouernors

The order, vse & imploying of the stocke.

of the poore, from time to time (as cause requireth) shal & may ẏ same stocke & store, deliuer to such needie person, a competent portion to be wrought into yarne, or other matter, within such time, & in such sort as in their discretions shalbe limited, & ẏ same afterwards being wrought, to be from time to time deliuered to ẏ said collectors & gouernors of ẏ poore, for which they shall make payment to them which worke the same, according to ẏ desert of ẏ worke, & of new deliuer more to be wrought, & so from time to time deliuer stuffe vnwrought, & receiue ẏ same againe wrought as often as cause shal require, which hempe, woll, Flaxe, or other stuffe wrought, shalbe solde by the said collectors & gouernors, at such time, as they shal thinke meete, & with the money comming of ẏ sale, to buy more stuffe, in such wise as the stockes or store shall not be decayed in value. 18. El. 3.

Refusing to worke, or spoyling the worke.

22 ¶If any such person able to do any such worke, shal refuse to worke, or shal go abrode begging, or liue idely, or takinge such worke shal spoyle, or imbesel ẏ same, in such wise ẏ after monition giuen, the Minister and Churchwardens of the Parish, and collectors and gouernors of the poore, or the more part of them, shall thinke the same person not meete to haue any worke deliuered out of the same store and stocke, then vpon certificat thereof made vnder their hands, and brought by one of the said collectors & gouernors, to such person or persons, as shall in that countie haue the gouernement of one of the houses of correction, in conuenient apparell, meete for such a body to weare, he or she shall bee receiued into such house of correctiõ, there to be strictly kept, as well in rest as in worke, and also shalbe punished, as to the saied persons vsing the gouernment of the said house of correction shalbe appointed. 18. El. 3.

Houses of correction.

23 ¶Within euery countie of this Realme, one, two, or more abiding houses or places conuenient, in some market towne, or porat towne, or other place or places, by purchase, lease, buildings or otherwise, by the order of the Justices of peace, or the more part of them in their sessions, (of the inhabitants within their seuerall

authorities to be tared, leuied, and gathered) shalbe prouided, and called ỹ house or houses of correction, & also stocke & store, & implements shalbe also prouided, for setting on worke and punishinge not onely of those which by the collectors and gouernors of the poore for causes aforesayd to the saied houses of correction shalbee brought, but also of such as shalbe inhabiting in no parish, or shall be taken as roges, or once punished as roges, & by reason of the vncertaintie of their birth, or of their dwellinge by the space of three yeares, or for any other cause ought to be abiding & kept within ỹ same countie, which said house or houses of correctiõ, with stockes, stores, and implements appointed for such houses shalbe prouided in euery countie within one yeare next after this present session of parliament (if the same conueniently may be) & if in the said time the same can not conueniently be, then within such time as to ỹ iustices of peace or the more part of them, in their generall sessions, in euery countie wthin their seueral iurisdiction shalbe thought conuenyente, so as it exceede not two yeares after taration in such course for that purpose made, or else the money leuied to be repayed. 18. Eliz. 3.

24 ¶ Euery person refusing to pay, (or not paying such sume of money towardes the making, obtayning, and furnishing of ỹ houses of correction, & buying of stockes, & for ỹ relefe of such persons, as shalbe appointed to the same, which vpon him shalbe laied by order aforesaid tared, and at such time as by ỹ same order shall be appointed) shal for euery default forfait double so much, as hee was like to be tared vnto. 18. El. 3. Refusing to pay towardes the house of correction.

25 ¶ The Justices of peace in their generall sessions, shall and may appoint from time to time persons which shall be ouerseers of euery such house of correction, which shalbe called Censors, or wardens of the houses of correctyon, and shall haue the gouernement and order of the same, according to such orders as by the said Justices of peace, or the more part of them, in their generall sessions shal be prescribed, and shall also appoint others for the gathering of such money, as shalbe tared vpon any person wthin their iurisdictions, towardes the maintenance of the said house, which shalbe called the collectors for the houses of correction, and if any person refuse to be collector and gouernor of ỹ poore, or censor & warden, or collector, of, or for any ỹ houses of correction, shal forf. v. li. 18. El. 3. Censors & wardens of houses of correction. Collectors.

26 ¶ Euery person appointed to be any collector & gouernor of the poore, or censor and warden, or collector for any the houses of correction, shall as often as any of them shall be called thereunto by The accompt of Collectors, Censors &c.

by the persons hauinge the appointment of them, make a iust & compt of al such summes of money or other thinges as any of them haue gathered, or rayled in commoditie within their seuerall collections, or charge, and if any of them refuse to make such accompt or neglect ẏ same by the space of xiiij. daies next after request therefore to him made, or shal not within one weeke after such accompt pay the whole arrerages which he vpon such accompt shal be found in, to such person as hee shall bee appointed vnto by them before whom the said accompt shall be taken, then he shall be committed to any vsuall Gaole within the said countie, there to remaine without bayle or mainprise, till he hath made hys accompt and payment of such arrerages, as he hath receiued vppon the making which accompt it shalbe lawful to such persons as haue ẏ appointment of the said Censors, Wardens, and Collectors &c. to allow vnto euery of the said collectors, censors, wardens &c. as well a reasonable allowance, for such money as any of them haue disbursed in the execution of ẏ said seuerall offices, as also such reasonable fées, & wages for their paines taken in that behalfe, as to the shall be thought conuenient. 18. El. 3.

How the forfaitures shall be imployed.

27 ¶ Al forfaitures by force of this act being forfaited, by any person charged with any payment towardes the stocke & store appoynted for the reliefe of the poore, shalbe imployed in the prouision of the stockes and stores, in such place where the money (for the non payment whereof the forfaitures did grow) was payable. And the forfaitures of al persons being chosen to be collectors and gouernors of the poore, shalbee imployed in the prouision of the stockes and stores whereof they were chosen to be collectors and gouernors, and all forfaitures made by any person charged towardes the sustentation of any house of correction, and the forfaitures of al persons being, or being chosen to be censors and wardens, and collectors of any house of correction shalbe imployed in the maintenance and furtherance of the said houses of correction all which saied forf. shalbe leuied by distresse and sale of the goods of the offendor, as neare as they can to the value forf. by warrant from such persons as haue by reason of their seuerall iurisdiction the nomination of the said collectors, gouernors, censors, & wardens, & the taration of ẏ said persons which shal commit the said forf. to any persõ or persõs by thẽ appointed, to be directed vpon certificat thereof made, & the partie called thereunto. 18. El. 3.

Execution of these statutes within the verge.

28 ¶ It shalbee lawfull to the Lord Steward of the Queenes houshold, or to the Commissioners within the verge, to have vse al such authoritie within ẏ said verge, in execution of the [illegible] prem[illegible]

prouided.14.El.5.& 18.El.3.for the punishment of vagabondes, & releefe & setting on worke the poore, as any Iustice of peace within may haue, or vse els where, within their seuerall shires, according to the limitation of the said statutes.18.El.3.

29 ¶All and singuler forfaitures in any wise limitted to come to the Quéene for any offence to bee committed against any of those penal statuts which her maiesty by her Proclamation from time to time for that purpose shall appoint, shalbe recouered, and employed, The one moitie to the vse of such person as shall prosecute the same, by Action, or Iniunction, or by giuing of euidẽce vpon indictment and trauerse of indictment: And the other moitie to and for the prouision and furnishing of the stockes for the poore, and of the houses of correction, in such maner as by the Iustices, at the Sessions after Easter next ensuing after such recouerie shalbe limitted, any former penall statute, prouision &c. notwithstanding.18.El.3.to continue from 15. die Marcij, An. Do. 1575. for vij. yeres, and from thence vnto the ende of the next Parliament then next ensuing.S.Iustices of peace.72.73.74.75.76. The forf. vpon certaine penal statutz imploied to the vse of the poore.

1 That any man may giue lande holden in Socage, for the maintenance of houses of correction, or for any stockes of poore people. S.Mortmayne 10.

2 That a Beggars child may be taken apprẽtice. S.Laborers.31.

¶Prerogatiue.

The Quéenes Maiestie by her Prerogatiue roiall, shal haue the wardshippe of all their landes which hold of her in chiefe by knightes seruice, whereof the tenants were seised in their demesne, as of fee, the day of their death, of whom soeuer they holde that seruice, so that they held of auncient time any lande of the Quéene as of her Crowne, vntill the heire come vnto his lawfull age, except the fées of the Archbishop of Canterbury, the Bishop of Durham, betwene Tyne and Tées, fées of Earles and Barons of the Marches, of lãds in the Marches, where the Quéenes Maiestie doe not lye, and whereof the said Archbishop, Bishoppe, Earles & Barons, haue had the wardship, though otherwise they be of the Quéene, Prærogatiua Regis, 17. Ed. 2. 1. Wardship.

¶Also she shall haue the mariage of an heire being within age, and in her custody, whether the land of such heire haue of auncient time béene holden of the Crowne, or that it came by reason of that being in the Quéenes handes, or that she hath the mariage by reason of the warde of the Lord of such heire, without reason of the Prioritie of feoffement, although the heire helde of Mariage.

others. 17. Ed. 2. 2.

Primer seisin. 3 ¶Also she shall haue primer seisin, after the death of [illegible] which hold of her in chiefe, of all the lands and tenements [illegible] of they were seised in their demeine as of fee, of what age [illegible] their heires be, by taking the issues of the same landes, vntil [illegible] quisition be made as the custome is, & that she hath receyued [illegible] homage of such heires. 17. Ed. 2. 3. Marleb. 52. H. 3. 16.

The Queenes widowes. 4 ¶Also she shall assigne to widowes after the death of [illegible] husbandes that helde of her in chiefe, the dower that to them [illegible] longeth, though the heire be of full age, if the wydowes will. [illegible] such widowes before assignement of dower shal sweare that [illegible] shal not marry without the Quéenes licence, whether their [illegible] be of full age or not, and if they doe marry them selues [illegible] the Queenes licence, then the Quéene shall take into her [illegible] by way of distres, all such lands as they hold of her in dower, [illegible] till she be satisfied at her pleasure, so that the woman shall [illegible] nothing of the issues, for after such distresse they or their [illegible] must make fine to the Queene at her pleasure, which fine in [illegible] cient time, was one yeares value of her dower, vnlesse she [illegible] the greater fauour. And also women that holde of the Qu[illegible] chiefe, of what age soeuer they be, shall sweare that they shall [illegible] marry them selues without the Quéenes licence, and if they [illegible] their landes shalbe taken in like manner into the Quéenes [illegible] vntill she be satisfied at her pleasure. Magna Chart. 9. H. 3. 7. [illegible] Ed. 2. 4. And the Maister of the Quéenes Wardes and [illegible] by the aduise of the Atturney, Receiuer generall, and Auditor [illegible] the same Court, or three of them, haue auctoritie to survey [illegible] Quéenes widowes, and to common and conclude with [illegible] them, which shall marry them selues without the Quéenes [illegible] for their reasonable fines, to be made to the Quéenes vse, & to [illegible] & assesse the same by their discretion, according to the forefaid [illegible] tut of Prærog. Reg. 32. H. 8. 46.

Women tenants. 5 ¶If a woman before the death of her auncestor that [illegible] the Quéene in chiefe be married before she be mariageable, [illegible] the Quéene shall haue the wardship of the body of the same [illegible] man, vntill she be of age able to consent, and then she may [illegible] whether she wil haue him to whom she was first maried, or [illegible] that the Quéene will offer her, 17. Ed. 2. 6.

Coparceners. 6 ¶If an inheritance which is holden of the Quéene [illegible] doe discend to seuerall coparceners, then all the heires shall [illegible] mage to the Quéene, and the same inheritaunce so holden [illegible] Quéene shalbe deuided amongest those heires in such sort [illegible]

ny of them after that shall hold their part of the Quéene. 17. Ed. 2. Statut' Hibernię.

7 ¶ None which holdeth of the Quéene in Capite by Knights seruice, may without the Quéenes licence, alien the greater part of his lands in such sort, but that the residue may be sufficient, to doe the seruice, but this had not wont to be intended of small members or parcels of the same lãds. Magna Charta. 9. H. 3. 32. 17. Ed. 2. 7. Alienation without licence.

8 ¶ If any which holdeth his lands of the Quéene by Serge-antie, doth alien the same without the Quéenes licẽce, he shal pay vnto her a reasonable fine. 17. Ed. 2. 7. But by the statut 1. Ed. 3. the same lands shall not be forfeit to the Quéene by such aliena-tion. And by the stat. 9. H. 3. 31. & 1. Ed. 3. 13. & 1. Ed. 6. 4. He that holdeth of the Quéene, as of any honors, castels, manors, landes or tenements in her hands, by reason of any new escheat to ỹ Crowne, by attainder, conuiction, outlawrie, or by dissolution of any re-ligious house, or by purchase, doth not holde of her grace in Capite, but shal he doe other seruices, then if the same manors &c. were in other mens handes. Tenure by sergeantie.

9 ¶ If other men doe present to Churches being void, the ad-uowsons whereof belonge to the Quéene, whereupon debate ri-seth betweene the Quéene & the others, If the Quéene by awarde of the Court doe recouer her presentation, though it be after the lapse of fiue monethes from the time of the auoydance, no time shall preiudice her, so that she present within the space of fiue mo-nethes. 17. Ed. 2. 8. Lapse.

10 ¶ The Quéene shall haue the custodie of the landes of na-turall fooles, and take the profit thereof, without any waste or des-truction. And shall finde to them thinges necessarie, of whose fees soeuer the same landes be, and after the death of the same fooles, shall render the same landes to the right heires, so that such fooles shall not alien, nor their heires be disinherited. 17. Ed. 2. 9. Ideots.

Maister of the Quéenes wardes and liueries, by the aduise of the Attorney, Receiuer general, and Auditours of the same court, or two of them, hath authoritie to survey, gouerne, and order all ideots and naturall fooles, and their manors, landes, tenements, and other hereditamentes being in the Quéenes handes, or in the handes of other persons to the vse of any of them, and to let and set the manors, landes &c. to the Quéenes vse for the time of her grace, for such rent, and fine, as by their discretion shalbee for their good, the finding and keping of the said persons, their wiues and children, and the reparations of their houses and lands al-so to be considered. 32. H. 8. 46.

Lunatike.

11 ¶Also the Quéene shall prouide that when any that before time hath had his memorie and vnderstanding, shall become distraught, and to faile of his witte, (as certaine doe, Per lucida intervalla) that their landes and tenements shalbe safely kept, without waste or destruction, and that they and their familie shall liue & be conueniently maintayned with the profits therof, and that the residue besides their maintenance, shalbe kept to their vse, and be deliuered vnto them when they come to their perfect memorie, so that such landes shall not be alienes, neither shall the Quéene take any thing to her owne vse, and if the partie dye in such estate, then the residue shalbe distributed for his soule by the aduice of the Ordinarie. 17. Ed. 2. 10.

Wrecke of the sea.

12 ¶The Quéene shall haue the wrecke of Sea, through the Realme, Whales, and Sturgions taken in the sea, or els where within the Realme, except in certaine priuiledged places. 17. Ed. 2. 11.

Intrusion.

13 ¶When any person which holdeth of the Quéene in Capite dyeth, and his heire doth enter into the lande that his ancester helde of the Quéene the day of his death, before he hath done homage to her grace, and receyued of her seisin, he shall thereby gayne no freehold, and if he dye seised during that time, his wife shall not be endowed of the same land, But this is not meant of Socage & small tenures. 17. Ed. 2. 13.

Escheats in time of vacation.

14 ¶The Quéene shall haue Escheates of the lands of Archbishops and Bishops freeholders, when such tenants be attainted of felonie committed in time of vacation whiles their temporalties were in the Quéenes handes, to bestowe in what sort it shall please her, Sauing to such Prelates, the seruice that to them is due and accustomed. 17. Ed. 2. 14.

Knightes fees. Aduowsons. Dowers.

15 ¶When the Quéene giueth or graunteth to any person a manor, or land with the appurtenances, without she make expresse mention in her deede, or writing of Knightes fees, aduowsons of Churches, and dowers, when they fall, belonging to such manors or landes, then the Quéene reserueth to her selfe such fees, aduowsons, & dowers, though amongest other persons, there be no such reseruation. 17. Ed. 2. 15.

Felons goods.

16 ¶The Quéene shall haue the goods of all felons which be condemned, and which be fugitiue, whersoeuer they be found, and if they haue any freehold, it shall forthwith be seysed into the Quéenes handes, and the Quéene shall haue the profites therof

Annum, diem, & vastum.

by the space of a yeare, and a day, and the land shalbe wasted and destroyed in the houses, woodes, and gardeins, and in all things belonging

belonging to the same (except men of certaine places priuiledged.) And after the Quéene hath had the yere, day, and waste, the lande shalbe restored to the chiefe Lord of the same fee, vnlesse that before he redéeme the same yeare, day, and waste of the Quéene, by payment of a fine. But there is a custome in the county of Glouc. Gloucester. ster, that after a yere and a day, the landes and tenementes of felons in that shire, shall reuert and be restored to the next heire, to whom they ought to haue discended, if the felony had not béene committed. And in Kent, in Gauelkind, the father to the Bough, the sonne to the Plough, there all the heires males shall deuyde their inheritance, & likewise women. But women shal not make partition with men. And a woman after the death of her husbād shalbe endowed of the moitie. And if she commit fornication in her widowhood, or take an husband, she shall lose her dower. Prerogatiua Regis. An. 17. Ed. 2. Gauelkind.

17 ¶No person hath authoritie to pardone any treasons, murders, manslaughters, or felonyes, or any accessaries to the same, or any outlawries for any such offences committed &c. or to make any Iustices of Eire, Iustices of Assise, Iustices of peace, or Iustices of gaole deliuerie, but only the Quéenes maiestie, her heires and successors, kinges & Quéenes of this Realme, which haue the same whole and sole power united to the imperiall Crowne of this Realme. And all such Iustices, Officers &c. shalbe made by letters patents vnder the Quéenes great seale in her name, and by the authoritie of her, and her heires &c. in all Counties within any of her dominions. 27. H. 8. 25. None may pardon felons, or make Iustices, but the Queene.

18 ¶All originall and iudiciall writtes, and all indictments of treason, felony, and trespasse, and all manner of proces to be made vpon the same in euery Countie palantine, and other libertie within England, Wales, or the Marches thereof, shalbe made onely in the name of the Quéene, & her heires, Kinges or Quéenes of England. And euery person hauing such Countie palantine or other libertie to make such originalls, iudicialls, or other proces of Iustice, shall make the Teste in the said writtes, in the name of the same person or persons that haue such Countie palantyne or liberties. 27. H. 8. 25. All writs made in the Queenes name.

19 ¶Euery writte and indictment that shalbe made within any County palantine or libertie, whereby it shalbe supposed any thinge to be done against the Quéenes peace, shalbee made and supposed to bee done against the Quéenes peace, her heires and successours, and not against the peace of any other person &c. 27. H. 8. 25. Writs or indictments, contra pacem.

Fines & forfaytures of baylifs & stewardes.

20 ¶The Quéene her heires & succeſſors, kings or Quéenes of this Realme, ſhall haue all fines, iſſues, amerciaments and forfaitures, that ſhalbe loſt, forfaited, or aſſeſſed, by or vpon any Stewards, Baylifes, or other Officers, of any franchiſes or liberties, for non execution, or miſexecution, or inſufficient returnes of ſuch writs, warrantes, precepts, or other proces, which to any of them or to any their deputies ſhalbe directed, or for any contempt, or other miſdemeanour concerning their offices, in and for the due execution or adminiſtration of Juſtice, any graunt allowance, or other thing &c. notwithſtanding. 27. H. 8. 25.

¶Preacher and preachinges.

Diſturbance of a Preacher in the time of his Sermon.

IF any perſon of his owne auctoritie, ſhall willingly, & of purpoſe by open wordes, or deede, maliciouſly, or contemptuouſly diſturbe, or by any other vnlawfull wates diſquiet or miſuſe any Preacher, allowed to preach by the Quéene, or by any Archbiſhop or Biſhop of this Realme, or by any other lawfull Ordinarie, or by any of the Vniuerſities of Oxforde and Cambridge, or otherwiſe lawfully auctoriſed, or charged by reaſon of his cure, benefice, or other ſpirituall promotion or charge, in his open Sermon, Preaching, or Collation, that he ſhall preach or pronounce in any Church, Chappel, or Churchyard, or in any other place vſed or appointed: Then euery ſuch offendor, his aydors, procurors, or abettors, immediatly after any of the ſaid miſdemeanors committed, or at any time after, ſhalbe arreſted by any Conſtable or Churchwarden of the ſaid pariſh, towne or place, where the ſaid offence ſhalbe ſo committed, or by any other officer, or by any other perſon, then being preſent at the time of the ſaid offence, & carried to any Juſtice of peace within the ſaid ſhire, or within any Citie, Borough, liberty, or towne corporat, wherein Juſtices of peace be, where the ſaid offence ſhalbe ſo committed, & the ſaid Juſtices vpon due accuſations thereupon made by ỹ apprehender, or other perſon of the offendor, forthwith ſhall commit him to ſafe keping, & within iij. dayes immediatly after ỹ ſaid acculation ſo made, the ſaid Juſtice with one other Juſtice of peace in the ſaid ſhire, city, borough, liberty, or towne corporat, ſhal diligẽtly examine the offence aforeſaid, & if the ſaid ij. Juſtices ſhal vpon their examination find the perſon ſo accuſed guiltie of any of the ſaid offences wherof he ſhalbe accuſed, & that by two ſufficient witneſſes, or by his confeſſion, then they ſhal commit him to the Gaole of the ſaid ſhire, citie, borough, &c. where the offence was committed, their to remaine wout baile or mainprize by the ſpace of iij. monethes then next enſuying, and

further

further to the next quarter Sessions &c. at which sessions the sayd person vpon his reconciliation & repentãce before the said Justices at the said Sessions, shalbe deliuered out of prison vpon sufficient surtie of his good abearing, & behauiour, to be then & there taken by ỳ said Justices for one whole yere then next ensuing, as by the discretion of ỳ said Justices then & there being, or of ỳ more part of thẽ shalbe thought cõuenient. And if the said person will not be reconciled & repent at ỳ said quarter Sessions, thẽ he shalbe further committed to the said gaole by the said Justices, there to remaine without baile or mainprise, vntil he shalbe reconciled and be penitent &c. 1. M. 3.

2 ¶ If any person or persons of their owne authority, wilfully & vnlawfully doe rescue any offendor so apprehẽded, or will disturbe ỳ said offendor to be apprehended, then euery one of ỳ said rescuers or disturbers shal suffer like imprisonmẽt as is aforesaid, & further shal pay for euery of his offences v. li. to the K. 1. M. 3. Rescuing the offendor, or disturbing the arrest.

3 ¶ If any of the offendors aforesaid be not apprehended in time conueniẽt, but doe escape, then the said escape shalbe lawfully prouented before the Justices of peace at the next quarter Sessiõs & the inhabitants of the parish where the said escape was suffered, shall forfait to the Quéene &c. for euery such offence v. pound, to be leuied and taken as other like amerciaments and fines beene leuied vpon any Village, hundred, or Towne for the escape of any murderer, or other felon, for not making pursuit vpon huy and cry according to the statut of Winchester, and the statut of 3. H. 7. 1. 1. M. 3. The punishmẽt of the towne where the offendor doth escape.

4 ¶ This act shall not extende to take away the authoritie and punishment of the Ecclesiasticall lawes standing in force for the punishment of any the offences aforesaid. But they shalbe vsed in euery thing as though this act had neuer beene made. 1. M. 3. Punishmẽt by the ecclesiasticall lawes.

5 ¶ Whatsoeuer person offending in the premisses shall for any the offences aforerecited, receiue punishment of the ordinary hauing testimoniall thereof vnder the said ordinaries seale, shall not for the same offence eftsones be conuicted before the Justice, Et conuerso. 1. M. 1. Parl. 3. S. Arrests. 1. But once punished for one offence.

¶ Premunire, Prouision.

I Fany of the Quéenes people doe drawe any man out of the Realme in suit for any cause, the cognisance whereof pertaineth to Queenes Court, or for any things whereof there is judgemẽt giuen in the Quéens court, or doe sue in any other court to defeate or impeach the Judgements giuen in the Quéenes court, they shal Premunire by reason of suyts in a forreine Realme, or in impeching Judgements giuen in the Queenes court.

haue day contayninge the space of two monethes by warning to be giuen to them, in the place where the possessions bee which be in debate, or some where else, where they haue lands or other possessions, by the Sherife or other of the Queenes Officers, to appeare before the Queene, and her Councell, or in her Chauncery, or before her Iustices of the one Bench, or the other, or before other of the Quéenes Iustices which shalbe therunto appointed to aunswere in their proper persons to ỳ Queene of their contempt in this case committed, and if they come not at the said day in their owne proper persons to aunswere and stand to the law, they, their procurators, atturneis, Executors, Notaries and maintayners, shal from the same day be putt out of the Queenes protection, and their landes, goodes, and cattels shalbe forfeited to the Queene, their bodies whersoeuer they bee founde, shalbe punished at the Queenes pleasure, and a writ shalbee awarded to apprehend their bodies, and to seise their landes, goodes and possessions into the Queenes hands. And if it be returned that they cannot be found, they shalbee put in Exigent & outlawed. But at whatsoeuer time they will come before they be outlawed, and will render themselues to the Quéenes prison, to be iustified by the law, & to receiue that which ỳ Quéenes Court in this behalfe shal award, they shall be therunto receiued, yet shall the forfaiture of the landes, goodes & cattells remaine in his force, if they do not yeld thẽ selues within two monethes as is aforesaid. 27. Ed. 3. 1.

Taking benefices of Aliens.

2 ¶ If any person shal take within England, procuracy, letter of Atturney ferme or other administration, by indenture, or in other maner, of any person of the world, of any benefice within the said Realme, but only of the Quéenes liege people of the same Realme, without the especiall grace & expresse lycence of the Queene by the aduice of her councell, or if any of the said liege people, or other that may be found in the said Realme, shall conuaye by vertue of such Procuracy, farme, or Administration, Gold, Siluer or other treasure, or cõmoditie out of the said Realme by letters erchãge by merchandise, or in any other maner whatsoeuer, to the profit of the said aliens, without the like licence, They shal incur the punishment contayned in the foresaid statut of 27. Ed. 3. And by the same proces compiled in the said statut shalbe warned of their benefices, or their other possessiõs within the Realme, & that be out of the Realme, & haue no benefices nor possessions within the Realme where they may be warned, a writ shalbe directed out of ỳ Chauncery to the Sherifs of London, or to the sherife of ỳ shire where they were borne, at the Quéenes suit, returnable into

Conueying of commodities to Aliens.

Bench or the other, by the which writ, cõmaundement shalbe gi-
uen, that proclamation shalbee openly made, that they shalbee
before the Iustices in the Bench where the writte is returnable
at a certayne day compriſed in the said writ, containing the space
of halfe a yeare, to make answer to the matters compriſed in ỹ
said writte, and this writ being returned, ỹ Iustices shal proceede
against them in forme aforesaid. 3. R. 2. 3. 7. R. 2. 12.

No sequestra-
tion of Aliens
benefices.

3 ¶ No Bishop, or other ecclesiastical person thorough the Re-
alme, shal medle by the way of Sequestration, or in any other ma
ner with ỹ fruites of such benefices geeuen to such aliens, or to the
vse of Aliens. 3. R. 2. 3. 7. R. 2. 12.

No alien shal
take a benefice
without the
Queenes li-
cence.

4 ¶ If any alien doth purchase any benefice of the Church digni-
tie, or other thing, and in his owne proper persõ doth take posses-
sion thereof, or doth occupie it within the Realme, whether it be to
his owne vse, or to the vse of any other, wout the Quéenes special
licence, he shalbe compriſed within the same statut of 3. R. 2. and
moreouer he shall in al points incurre the paines and forfaitures
compriſed in the statut. 25. Ed. 3. 22. (prouided against those which
purchase in the Court of Rome prouisiõs, to haue abbeis & priories
in England) vz. he shalbe out of the Quéenes protection, and euery
man may vse him as an enemy of the Quéene & the realme. And
whatsoeuer offendeth against him in bodie, goodes, or possessions,
shalbe excused against al people, and shall neuer bee impeched or
answered for the same at any manes suit. 7. R. 2. 12. Sed. S. 6. et
Quere.

Quére.
Bulles or in-
struments from
Roome.

5 ¶ If any persons doe purchase, or pursue, or cause to be pur-
chased, or pursued in the Court of Rome, or else where, any transl-
ations of Bishops proces, sentence of excõmunication, Bulles,
instruments, or other thinges whatsoeuer, which do touch the
Quéene, or which be against her, her Crowne, and Regaltie, or
the Realme, they which bryng the same within the Realme,
or receiue them, or make therof notification, or other execu-
tion whatsoeuer, within the realme or without, their Notaries,
procurators, maintaynors, Abbettours, Fauorers, and councel-
lors shalbe put out of the Queenes protection, & their lands and te-
nements goods & cattels shalbe forfaited to the Quéene, And they
shalbe attached by their bodies (if they may be found) & brought
before the Quéene and her councell, to answer in the foresayd
matters, or else proces shalbe directed against them by Premunire
facias. 16. R. 2. 5. But to obtaine from the Bishoppe or See of
Rome any maner of Bull, writinge, or Instrument writyten or
sealed, containing any thing, matter, or cause what soeuer, or

to

Treason.

to publish, or by any meanes to putt in vre any such Bull, writting or Instrument, it shalbee adiudged to the offendors, their Procurors, Abbettors and Councellors to the fact, and committing of such offence, high Treason. 13. El. 2.

¶By vvhich statut of 13. El. and of certaine statuts made 23. H. 8. 24. H. 8. 25. H. 8. 1. El. 5. El. the force of diuers other olde statuts prouided for the punishement of offences by prouision and premunire, seeme to bee taken avvay, sauinge such vvhich be in other titles of this booke expressed, for that the offences vvhich in the said old statutes vvere ordeined to bee punished in seuerall manners by prouysion and Premunire, be novve made highe Treason, or other punishments appointed for them by the sayd nevv statut, or else the vse of them be vvholy extinguished by the dissolutyon of Monasteries, Abbyes, Colledges, free Chappelles &c. vvhich vvere suppressed by the statut of. 27. H. 8. 31. H. 8. 13. 1. Ed. 6. 14. Attamen Quere.

Quere. No man shal slea him which is attainted in Premunire.

6 ¶It shall not be lawfull to any person to slea any person in any maner attainted in or vpon any Premunire by pretence, reason, or aucthoritie of any Judgement géeuen vpon the same, or of any wordes or thinges contayned in any statut or lawe of Prouision and Premunire, sauing always the due execution of euery person attainted for any offence wherupon Judgement of death ought to be, and sauing euery such paine of death or other hurt or punishemẽt, as heretofore might without daũger of lawe be done vppon any person that shall send or bring into any of the Quéenes dominions, or within the same shal execute any Summons, Sentence, excomunication, or other proces against any personne frõ ỹ Bishop or See of Rome, or ỹ aucthoritye of the sãe, See. 5. El. 1.

1 Premunire for refusing to take the othe for the Queens supreame gouernment ouer al estates. S. Queene. 6.

2 Premunire by declaring by booke, vvorke, or scroule vvho ought to be heyre or succeſſor to the Queene, being once cõuicted of the sayd offẽce before. S. Queene. 21.

3 Premunire by ayding or cõforting an offẽdor vvhich shall affirme that the Q. is an heritike, sciſmatike infidel, or vsurper &c. S. Q. 24.

4 For giuing reliefe to him vvhich shall committ the offence of Premunire, S. Q. 25.

5 Premunire for maintaining or setting fourth the aucthority of the Bishop or Sea of Rome. S. Rome. 1.

6 Premunire by aiding comforting or maintaining any offẽdor after

after the offence, to the intent to ſet fourth or allowe the powver of the Biſhop or Sea of Roome. S. Roome. 3.

7 Premunire by bringinge, deliueringe, or receiuing and vſinge any Agn' dei, Croſſes, Pictures, Beades, or ſuch like from Roome S. Roome. 5.

8 Premunire for not electing, nor certifiyng, or not admittinge any Bishop elected. S. Bishops. 1.

9 Premunire in a Iuſtice of peace for not certifiyng the name of him vvhich bringeth any Agnꝰ dei, Croſſes, or Pictures. S. Iuſtice of peace. 99.

10 Prouiſion in ſpiritual perſons &c. within the Archdeaconry of Richmond in yorkeshere, for taking more for probate of teſtaments then is lavvful. S. Probate of Teſtaments. 14.

11 Premunire for ſuinge of Appeles, or for refuſing to obey al things compriſed in the ſtatut prouided for ſuing of them. S. Appeales. 7.

12 That brokers & driuers of bargaines contrary to the ſtatut. of 37. H8. prouided againſt vſurie, ſhalbe punished as Coũcellors, Attornes or Aduocates in caſe of Premunire. S. Vſury. 7.

13 Premunire for molestinge any perſon for any the landes or poſſeſſions of any Abbey Priory Colledge Chaunterie &c. S. Moneſteries. 31

¶Priſon, Priſoners, Gaoles, Gaolers.

The Iuſtices of peace of euery of the Sheres of Eſſex, Suffolk, Dorſet, Suſſex, Surrey, Nottingham, Glocester, Bedford, Buckingham, Hunting. wilt. Kent, Warwick, Stafford, Dron, Bark. Leiceſter, Rutland, Lincolne, Hereford, Northamptõ, Hampe, Norf. Cornwal, Derby and Cambridge, and of the counties of Penbroke, Glamorgan, Cardigan, Radnor, & Mountgomery in Wales or ỹ moſt part of thẽ reſtant within euery of the ſaied counties, within the limittes of their commiſſion, haue ful power to appoint the Townes and places, wherin they ſhal thinke moſt neceſſarie to haue a common Gaole newely edified. And to cal before them at tymes and places by them to bee appointed, al the high Conſtables, Tythingmen, or Borroughe houlders of euery hundred, Lath, or Wapentake within the Shere whereof they bee Iuſtices, and in the preſence, and by the aſſent of them, or the moſt part of them, ſhal agree vpon ſuch conuenient ſũmes of money as ſhalbe thought good to ſuffice for the making and perfect finiſhing of a newe Gaole in the ſame shere, And thereuppon forthwith by their aſſentes and diſcretiõ, tare euery ſuch perſõ as

Newe Gaoles to be made in certein Sheres

Taxing of the Sheres.

as then ſhalbe reſiant in the ſame ſhere, aſwel within liberties as without, hauing lands tenements rentes or annuities of eſtate of inheritance, or for terme of life, to ỹ clere yerely value of xl.s. or aboue, or being worth in mouable ſubſtãce the clere value of xx.li. aboue, to ſuch reaſonable ſummes of money as ſhalbe thought conuenient by their diſcretions, for the ful buylding and finiſhinge of the ſaid common gaole. And after ſuch Taxation, to appoint ſuch number of collectors for the leuying thereof, as ſhal ſeme beſt by their diſcretions. And the ſaid Collectors, and euery of them haue auctho*r*itie to diſtraine euery ſuch perſon as ſhalbe taxed by ỹ ſaid Juſtices, in their landes or goods, aſwel within liberties as without, and to ſel the diſtreſſes by them taken, by the appꝛaicement of iiij. honeſt perſons for the payment of the ſaid ſummes, if the perſon taxed refuſe to pay the ſame within x. daies, next after ſuch diſtres taken, taking vpon euery ſuch ſale but only the money taxed, wt̃ reaſonable coſts for taking of the diſtres, and the ouerplus ſhal be deliuered to the owner. And alſo the ſaid Juſtices, or the moſt part of them, haue auctho*r*itie to appoint two honeſt perſons inhabited in ỹ ſaid Shere, which ſhal ſurney and pꝛounde that the ſaid Gaoles ſhalbe ſurely and ſubſtãctially made and finiſhed, to whoſe handes the ſaid Collectours ſhal pay the money by them collected by the appointment of the ſaid Juſtices, or vi. of them at the leaſt. And ỹ ſaid Juſtices haue auctho*r*itie to limit to euerie of the ſayed Collectors & two perſons, reaſonable ſummes of money for their labours, and al murderers and felons ſhalbe impꝛiſonned in the ſaid common gaoles, and not els where. 23. H. 8. 2. 5. El. 24. 13. El. 25.

Collectors.

Surueiours.

Impꝛiſonment of offendors.

2 ¶ Aſwel euery of ỹ ſaid Collectors, as euery of ỹ ſaid two perſons, their heirs, executors, & adminiſtrators, ſhal declare a true accompt to the ſaid Juſtices, or to vi. of them at the leaſt, when they ſhalbe required. And if any of them refuſe to make accompt, or to pay and imploy ſuch money as ſhal cõe to their hands in ſuch wiſe as ſhalbe limitted by the ſaid Juſtices or vi. of thẽ, then ỹ ſaid Juſtices or vi. of thẽ haue auctho*r*itie, if ỹ ſaid offẽdors be preſent, to cõmit thẽ to ward, & if they be abſent, to make attachemẽts vnder their ſeales againſt euery of thẽ, into euery ſhere & part of this Realme, aſwel within libertie as without, to be returnable before ỹ ſaid Juſtices at ſuch day and places, as by them ſhalbe appointed, and to be directed to the ſherife of the ſhire wherein the partie or parties ſhalbe reſiant, if it be within the Bailiwike of the ſherife. And if it be without, then to be directed to the baliffe of the liberties, and euery ſherife and bailife of libertie to whoſe hands ſuch attach-

The remedy where Collectors or ſurueiours refuſe to accompt.

attachments ſhal come, ſhal attach the ſaid offendours, and perſonally bring them before the ſaid Juſtices according to the tenor of ỹ attachment, or elſe declare by his returne ſome reaſonable cauſe why he cannot ſo doe, vpon paine for euery default by any of them committed, to forfait to the Quéene C.s. And vpon the apparance of euery ſuch perſon, ſo attached, the ſaid Juſtices, or vi. of them haue power to cõmit them to priſõ, there to remaine til they haue truely accompted, and payd al ſuch ſummes of money as cãe to their hands by the aſſignmẽt of the ſaid Juſtices by aucthoritie of this act. And in caſe there happẽ to remaine any ouerplus of mony after the gaoles fully finiſhed, then the ſame ſhalbee beſtowed in almes to the priſoners committed to the ſaid gaole, by the diſcretions of the ſaid Juſtices or the more part of them. And ſeural cõmiſſiõs vnder the great ſeale with this act affixed, ſhalbe directed to the Juſtices of the ſheres before named. 23. H. 8. 2. 5. El. 24. 13. El 25.

3 ¶But this act doth not charge any perſõs inhabited within any Cities, townes, or Boroughs corporat which haue common Gaoles for felons taken in the ſame, and haue Juſtices of peace for deliuerance of ſuch felons, for any tares or lottes to the making of the ſaid common gaole of any of the ſheres aboue named, but euery ſuch inhabitaunt of any of the counties firſt before ſpecified be charged to beare any coſts for the repairing or newe making of any gaole, where any other perſon, bodie politique or corporat ought to buyld or repayre the ſame. 23. H. 8. 2. 5. Eliz. 24. 13. Eliz. 25.

The inhabitãts in Cities or townes hauing Gaoles.

The inhabitãts of the ſhere ſhal not be burdened where any perſon is ſpecially charged.

4 ¶Euery ſheriffe ſhalbe allowed vpon his accompt in ỹ Eſcheqer, for al ſuch money as he ſhal expend about the neceſſarie reparatiõs of the ſaid gaoles, after they be once made, as nede ſhal require, & the Barons of ỹ Eſcheqer haue power to allowe euery ſheriffe in euerye ſuch caſe by their diſcretions, without any warrant to be ſhewed from the Quéene. 23. H. 8. 2. 5. Elizabeth 24. 13. Eliz. 25.

Gaoles repaired at the Q. coſts.

5 ¶The Sheriffes of euery countie ſhal haue the cuſtodie, Rule, keping and charge of the Quéenes common Gaoles of the ſame counties, & of the priſoners therin, and alſo of the ſaid newe gaoles, and ſhal appoint ſuch gaolers as they wil anſwer for. 14. Ed. 3. 10. 19. H. 7. 10. 23. H. 8. 2.

The ſheriffe ſhal haue the charge of euery gaole.

6 ¶But this act ſhal not be prejudicial to any perſons hauing any common gaoles by inheritance, for terme of life, or for yeres, but that they ſhal inioy them and the fées, and commodities of the ſame, as they might lawfully haue had if this act had neuer bẽn made

Particuler perſons hauing intereſt in gaoles.

made. 23. H. 8. 2. 5. El. 24. to continue from the end of the parliament holden. 5. El. for xx. yeres, 13. El. 25.

7 ¶ None ſhalbe impriſoned by any Iuſtice of peace, but only in the common gaole, ſauing to the Lords and others which haue gaoles, their franchiſes in this caſe. 5. H. 4. 10.

Enlarging one impriſoned by the Queenes commaũdement

8 ¶ If any perſon ſhal imagin, conſpire, inuent or goe about vnlawfully, and maliciouſly to ſet at libertie any perſon committed to priſon, gard or cuſtodie by the Queens ſpecial commaundement for any treaſõ, or ſuſpiciõ of treaſon concerning her owne perſon before any Indictmẽt of any ſuch perſon ſo ſought to be ſet at large & ỹ ſame conſpiracies or inuentions ſhal by wordes, writting, or other matter, ſet fourth, or declare, Then the offendor ſhall incurre the forfaiture of miſpriſiõ of treaſon. And if the priſoner be indicted of the foreſaid treaſon, then the offendour, ſhalbe adiudged a felon. And if the priſoner be attainted or conuicted of the treaſon aforeſaid, then the offendor ſhalbe adiudged a highe traitor. 14. El. 2. to continue during the Queenes life.

A priſoner by Dures becommeth an approuer.

9 ¶ If any kéeper of priſon, or vnder kéeper, ſhall by too great rores of impriſonment & paine, cauſe any priſoner which he hath in his cuſtodie, to become an approuer againſt his wil, and is thereof attainted, he ſhalbe adiudged a felon. 14. Ed. 3. 10.

A certificat of euery priſoners neme at the Gaole deliuerie.

10 ¶ Euery Sherife, Bailife of frãchiſe, and euery other perſon hauing auctoritie of keping of gaoles, or of priſoners, for felony, ſhal certifie the names of euery priſoner in their keping, and of euery priſoner to thẽ cõmitted for any ſuch cauſe at ỹ nert generall gaole deliuerie in euery countie or franchiſe where any ſuch gaole is or ſhalbe, there to be kalendred before ỹ Iuſtices of ỹ deliuerie of ỹ ſãe Gaole, whereby they may aſwel for the K. as for the partie, proceede to make deliuerie of ſuch priſoners accordinge to the lawes, vpon paine to forfait to the K. for euery default there remayned. C. 8. 3. H. 7. 3.

1 That no Habeas corpus ſhalbe graunted to remoue any priſoner out of any gaole, except it be ſigned vvith a Iuſtices hand of the ſame court. S. Remouer. 1.

2 That the Iuſtices of the kings Bench may ſend dovvne priſoners, and their indictmentes to be tried in the countrie. S. Remouer. 2.

3 That a priſoners goods ſhal not be ſeiſed by any officer, vntil he be attainted. S. Sherife. 26.

4 That it is felony for any perſon to breake priſon. S. Felony.

5 That Iuſtices of peace may taxe euery pariſhe for the relief of priſoners. S. Poore. 18.

6 VVhere

6 Where the keeper of a prison shalbe charged for not receiving, or letting goe a prisoner offered or cõmitted to his custodie
5. Escape. 1. Statutes &c. 1. Phisitions. 4.

¶ Probate of testaments, and administration.

Probate of testaments where the goods excede not C.s.

NOthing shalbe demaunded, or taken by any Bishop, Ordinarie, Archdeacon, Chaũcellor, Commissarie, Official, nor any other person having auctoritie to take probation, insinuation or approbation of testamentes, by him selfe, nor by his Registers, Scribes, Apparitors, Summoners, Apparators, or by any other of his ministers for the probation &c. of any testament, or for writing, praysing, registringe, fines, making of Inuentories, & giuing of Acquitances, or for any other cause concerning the same, where the goods of the testator doe not amount clerely aboue ỹ value of C.s. sterling, except only to the Scribe, for writing of ỹ probate of the testament of him deceased &c. vi.d. and for the commission of ministration of the goods of any man deceasinge intestate, not being aboue the value of C.s. vi.d. And neuerthcles the sayed Bishop, Ordinarie, or other person, shal not refuse to approue any such testament beinge lawfully tendred to him to be proued, whereof ỹ goods of ỹ testator amoũt not aboue C.s. so that ỹ said testament be exhibited to him in writing with ware thereunto affixed ready to be sealed, and that the same testament be lawfully proued before the same Ordinarie (before the sealinge) to bee the true, whole, and last testament of the same testatour, in such forme as hath bene commonly accustomed in that behalfe. 21. H. 8. 5.

Commission of administration.

Probate of testaments where the goods excede not xl.li.

2 ¶ When the goods of the testator doe amount aboue the clere value of C.s. and doe not excede the summe of xl.li. sterling: Thẽ the Bishop, Ordinary, nor other person having auctoritie to take probation &c. of any testamẽt by him selfe, or any of his ministers, for the probation of any testament, or for the registring, sealinge, writing, praysing, making of Inuentories, geuing of acquitances, fines, or any other thing concerning the same, shal take or cause to be taken of any person but only iij. s. vj. d. and not aboue, whereof shalbe to ỹ said Ordinarie for him and his ministers ij. s. vi. d. & not aboue, and xii. pence residue to the Scribe for the Registring of the same. 21. H. 8. 5.

Probat where the goods excede xl.li.

3 ¶ Where the goodes of the testator doe amount aboue the clere value of xl.li. sterling, then the Ordinarie by him selfe, nor any of his ministers, for ỹ probation of any Testament, or for the registring &c. or any thing cõcernig ỹ sãe probate, shal take of any person

person but only v.s.4 not aboue, wherof to be to ỹ said Ordinarie for him and his ministers ij.s.vi.d. and not aboue, and ij.s. aboue to be to the Scribe for registring of the same, or else the Scribe to be at hys libertie to refuse the ij.s. vi.d. and to haue for writing of euery tenne lines of the same testament (wherof euery line to containe in length x. ynches) i.d. 21. H. 8. 5.

Testamẽts shal be sealed & deliuered in time conuenient.

4 ¶And euery such Bishop, Ordinarie, and other person hauing auctoritie to take the probation of any testament, the Registers, Scribes, and Ministers, shall approue, insele, and register the saied testaments, and delyuer the same sealed, with the seale of their Office, to the executor or executors named in any such testaments for the summes aboue said, and in maner and forme aboue rehersed, with conuenient speede, without any frustratory delay. 21. H. 8. 5.

Administration

5 ¶If any person die intestate, or the executors named in any such testaments refuse to proue the said testament, thẽ the Ordinarie or other persõ or persõs hauing auctoritie to take proofe of testaments, shal grant the administration of the goodes of the testator, or person deceased, to the widow of the same person, or to the next of his kinne, or to both, as by the discretion of the said Ordinarie shalbe thought good, taking suertie of him or them to whom shalbe made such commission, for true administration of the goodes, cattels, and debts, which he or they shalbe so auctorised to minister. 21. H. 8. 5.

Administration where diuers do request it.

6 ¶And in case where diuers persons claime the administration as next of kinne, which be equal in degree of kinred to ỹ Testator or person deceased, and where any person only desireth ỹ administration as next of that kinne, where in deed diuers persons be in equalitie of kinred: Then the Ordinarie shalbe at his libertie to accept any one, or moe making request where diuers do require ỹ administration, or where but one or moe of thẽ is not all being in equalitie of degree do make request, thẽ ỹ Ordinarie shal admit the widowe, and him or them only making request, or any part of them at his pleasure, taking nothing for the same vnlesse the goodes of the person so deceased, amount aboue the value or summe of C.li. in case, the goodes amount aboue a hũdred shillings and not aboue xl.li. then he and his officers shal take only ij.s.vi.d. and not aboue. 21. H. 8. 5.

Howe much the Ordinarie shal take for granting administration.

Inuentorie.

7 ¶The executor and executors named by ỹ testator, or if no other person or persons, to whome such administration shalbe committed where any person dieth intestate, or by way of intestacie taking to him or them two such persons at the least, to whom

fait

ꝺ person so dying was indebted, or made any legacie, and vpon their refusall or ablence, two other honest persõs being next of kin to the person so dying, and in their default or ablence, two other honest persons, and in their presence, and by their discretions shall make, or cause to be made a true & perfect inuentorie of al ẏ goods, catels, wares, merchãdizes al wel mouable, as not mouable what soeuer, that were of the said person so deceased, and the same shal cause to be indented, whereof the one part shalbe by ẏ sayd executor or executors, administrator or administrators, vpõ his or their othes to be taken before ẏ said Bishops, Ordinaries, their officials or Cõmissaries, or other persons hauing power to take probate of testaments vpon the holy Euangelists to be good & true, & the same one part indented shal present & deliuer into the kéeping of the said Bishop, Ordinarie &c. & the other to remayne with the same executor or executors, administrator or administrators &c. which Inuẽtorie so to him tendered, no Bishop, Ordinarie &c. shal refuse to take, vpon the paine hereafter contained. 21. Ḥ. 8. 5.

Deuise of lãds to be sold.

8 ¶ If the person deceased will by his testament any landes, tenements, or hereditaments to be sold, the money thereof coming, or the profits of the said lands for any time to be taken, shal not be accompted as any of the goods or catels of the sayd person deceased. 21. Ḥ. 8. 5.

The testators seale defaced.

9 ¶ And the same Ordinary &c. vpon the deliuerie of the seale and signe of the testator, shal cause the same seale to be defaced, & thereupon incontinent redeliuer the same seale vnto the saide executor or executors, without clayme or challenge thereunto to bée made. 21. Ḥ. 8. 5.

Copies of testaments or inuentories.

10 ¶ And in case any person at any time require a copy of ẏ said testaments so proued, or Inuentorie so made, then ẏ said Ordinarie &c. or his ministers shal without any frustratory delay, deliuer or cause to be deliuered a true copie of ẏ same, vnto ẏ said person demanding ẏ same, taking for the search, & for ẏ making thereof onely such fée, as is before rehearsed for the Registring of the said Testament, or else the Scribe or Register to be at his libertie, to demand, haue, & take for euerie r. lynes thereof being of like proportion before rehearsed ſ. d. 21. Ḥ. 8. 5.

Custome to take lesse money for probates.

11 ¶ But where any person hauing authority to take probate of testaments, haue vsed to take lesse summes of money then is aboue said, for the probate of testaments, or Commissions of administrations, or other cause concerning the same, they shal take such summe for the same, as they before the making of this act, haue vsed to take, and not aboue. 21. Ḥ. 8. 5.

The forfaiture for taking more then duetie.

12 ¶Euerie Bishop, Ordinary, Archdeacon, Chauncelo. Commissarie, Official, & other person or persons hauing auctho... take probate of testaments, their Registers, Scribes, P... Sommoners, Apparators, & all other their ministers th... do or attempt, or cause to be done or attempted against this ... any thing, shal forf. for euery time so offending to the P. gr... so much money as he shal take contrary to this act. And ouer... shal forf. to the K. & the P. greeued x.li. to be recouered by A. ... wherein no Wl. E. P. &c. And euery of the same Bishops, & ... persõs which shal incurre the daũger of such penaltie, shalbe ... ged onely for him selfe, and none of them shalbe chargeable to ... penaltie for others offence. 21. H. 8. 5.

Executors conuented to proue the will, or bring in Inuentories

13 ¶But this act is not preiudicial to any Ordinary or ... person, hauing auctho...itie to take probate of testamẽts, but ... of them shal & may conuent before them euery persõ made ex... for of any testament, to the intent to proue or refuse the same ... bring in Inuentories, & to do euery other thing concerning ý ... as they might do before the making of this act, so ý alwa... such Ordinarie &c. or other ministers aforesaid, shal not take ... same, aboue the fees limitted by this act, ne in any wise att... any thing contrary to any part of the same act. 21. H. 8. 5.

Archedeacõry of Richmond.

14 ¶No spiritual person or others, hauing any Benefice ... ther spiritual promotiõ within the Archdeaconry of Richmo... Yorkeshire, shal aske, leuy, demaund, or take after the decea... any person, any portion or portions, nor any other demaun... duitie, in the name or lieu of the same, vpon payne to incurre ... penalties, as be contained in the statutes of Prouisors made ... Ed. 3. (vz. they shalbe attached by their bodies, & brought in to ... swere, & if they be conuict, they shal remaine in prison, without ... ing let to baile or mainprise, or otherwise deliuered vntil they ... payda fine to the Quéene at her pleasure, & satisfaction to ý p... greeued, & before their deliuerance, they shal find suertie ý they ... not attempt such thinges in time to come. And if they cannot ... founde, an Exigent shalbe awarded against them by due pro... and writtes shall goe forth to apprehende their bodies, and in ... meane time the Quéene shall haue the profit of their benefices ... other spiritual promotions.) But euery of the Quéenes subiects ... the said Archdeaconry, and their executors & administrators ... be vsed for their goods and cattels after their decesse, in like ma... as is contained in the foresaide Statute of 21. H. 8. Any custo... bill, composition, prescription, or ordinaunce &c. not withstand... 26. H. 8. 15.

¶ The

The Queenes Prohibition doth not lie, when any Oblations, Obventions, or Mortuaries (where mortuaries haue ben vsed of auncient) be by those names demaũded in an ecclesiastical court, though for the long withholding of the same, they be estéemed at certaine summe of money. But if a Clerke do sell his tithes be- Money for tithes. fore they be gathered in his Barne, or els where, for a certaine summe of money, if ỳ money be demaunded before an Ecclesiastical Judge, the Q. prohibition shal take place, for by ỳ sale, spiritual things are become tẽporal, and tithes are turned into chattels. Articuli cleri. 9. Edwardi. 2. 1. Oblations. Mortuaries.

¶ If an Ecclesiastical Judge do enioine penance for deadly sinne, as for Fornication, aduowtrie, and such like (for the which sometime corporal punishment, and sometime punishment by the purse is enioyned) or for that the Churchyard is vnfenced, or the Church vncouered, or not conueniently decked, (in which cases there is none other punishment but by the purse,) or for laying violent handes vpon a Clerke, or for defamation when money is not demaunded, but correction of the offence required, or for breaking of the, or if the Prelate of a Church, or an Aduocate, do demand of a person a pencion due vnto him, the Queenes prohibition doth not lie, & in the forsaid cases the ecclesiastical Judge hath power to take order, notwithstanding the Queenes prohibition to the contrary directed. Articuli cleri. 9. Ed. 2. Circumspecte agatis. 13. E. 1. Penance for sinne. The Church not wel vsed. Wring violence to one of the Clergie.

No prohibition shalbe directed out of ỳ Chauncery, but where the Queenes maiestie hath, and of right ought to haue cognisance of the plee. 18. Ed. 3. 5. No prohibition but where the Queene hath cognisance.

¶ If a Prelate or ecclesiastical Judge will appoint that one shall pay money for his offence, & ỳ money is demaunded of ỳ offender, the Q. Prohibition doth lie, but if he do enioine some corporal punishment, & they which are so to be punished, will vpõ their owne accord redeeme the same punishment with money, which money is demaunded before the ecclesiastical Judge, ỳ Queenes prohibition doth not lie. And likewise in Excommunication & degradation, the ecclesiastical Judge may correct by enioining a corporal punishment, notwithstanding the Q. Prohibition, the which the offendor will redeeme by guing to the partie greeued, more or lesse may, & the same may be demaũded before an ecclesiastical Judge, & in those cases the Queenes prohibitiõ will not take place, although any cause or busines, the cognisance whereof belonging to the ecclesiasticall Court, shalbe once determined before an ecclesiastical Judge, & become a thing adiudged, & not staied by prohibition, if after question be moued vppon the same thing betwixt Money for corporal punishment. Where a suit may be cõmenced both in the spirituel & tẽporal court for one offence.

the same persons before a seculer Judge, & be proued by witnesses or Instruments, the former iudgemẽt shalbe no exception in ye seculer court, for one cause may be sued before ecclesiasticall Judges & seculer Judges in seuerall respectes (as for laying violent hands vpon a Clerke.) And therfore notwithstanding ye iudgement geuen in the ecclesiastical court, the Quéenes court shall deale in ye cause as it seeme th good. Articuli cleri. 9. Ed. 2. 2. 3. 4. 6.

Indicauit. 4 ¶ If there be debate vpon the right of Tithes (which hath his original vpon the right of the Patronage) & the quãtitie of ye same tithes do exceede ye iiij. part of the value of ye Church (if ye suit be commenced before a spiritual Judge) the Quéenes Prohibition (by a writ of Indicauit) doth lie. 9. Ed. 2. 2. Which writ of Indicauit shall not be graunted to any man, before the matter depending in the spiritual court, betweene the parties be recorded, & that ye Chancellor of England be certified therof by the sight of the libel. 34. Ed. De coniunctim feoffatis.

Silua cedua. 5 ¶ If any Parson or Vicar do implead any other in a spiritual court for the tithe of wood being xx. yeres of age or aboue, in the name of Silua cedua, the partie sued shal haue a prohibitiõ, & vpon the same an attachment. 45. Ed. 3. 3.

A mill new buylded. 6 ¶ If any person do buyld a newe Mill in his ground, the Parson of the same parish do demaund tithe thereof, the Quéenes Prohibition doth not lie. Articuli clæri. 9. Ed. 2. 4.

Indictment in the sheriffes turne. 7 ¶ If any Clerke, or lay person being indicted before the sheriffe in his Turne, & after by Enquest deliuered before the Justices, sue in the spirituall Court against such indictors, surmising y^t they haue defamed him, euery person feeling him selfe thereby greeued, shal haue a Prohibition in the Chaũcery vpon his case. 1. Ed. 3. 1.

Consultation. 8 ¶ If any Ecclesiastical Judges do surcease to procéede in any cause moued before thẽ by force of the Quéenes writ of prohibition, in any case where remedy cannot be géeuen vnto the Complainants in the Quéenes Court by any writ out of the Chauncerie, the Lord Chauncelor, or chiefe Justice for the time being, vpon sight of the Libel of the same matter, at ye request of the plaintife (if they see that ye plaintife can haue no remedy out of ye Chancery, but ye the matter is determinable in the Ecclesiastical court) shal writ vnto ye Judges before whõ the matter was first brought in question, that they shall procéede in the same cause, notwithstanding the Quéenes Prohibition to them directed. 24. Ed. 1.

No prohibitiõ shalbe allowed after consultation graunted. 9 ¶ Where a Consultation is once duely graũted vpon a Prohibition directed to an Ecclesiasticall Judge, the same Judge may procéede in ye same cause by vertue of the same Cõsultation, notwithstanding

ting any other Prohibition deliuered vnto him, but the matter in the Libell of the sayed cause shall not be enlarged, altered, or changed. 50. Ed. 3. 4.

A copy of the libel shalbe deliuered to the Judge before a prohibition graunted.

10 ¶ If any partie for any cause appointed in the stat prouided 2. Ed. 6. for true payment of tithes and offringes) to be sued or determined in the Queenes ecclesiasticall Court, or before the ecclesiasticall Judge, doe sue for any Prohibition in any of the Queenes courts where Prohibitions haue ben vsed to be graũted, then before any Prohibition shalbe graũted to him, hee shal bring and deliuer to the hands of some of the Justices or Judges of the same Court, where such partie demaundeth Prohibition, the very true copy of the Libel depending in the ecclesiastical Court, cõcerning the matter wherfore the partie demaũdeth the Prohibition, subscribed or marked with the hand of the same partie, and vnder the copy of the said Libel shalbe written the suggestion wherfore the party so demaundeth the said Prohibition, & in case ẏ sayd suggestion by two honest & sufficiẽt witnesses at the least be not proued true in the Court where the said Prohibition shalbee so graũted, within vi. Monethes next following after the sayd Prohibition shalbe so graunted & awarded: Then the partie that is hyndered of his suit in the Ecclesiastical Court by such Prohibition, shal vpon his request & suit without delay haue a Consultation graũted in the same case, in ẏ Court where ẏ said Prohibition was graunted, & shal also recouer double costs & damages against the partie ẏ so pursueth the said Prohibition, ẏ same to be assessed by the court where the sayd consultation shalbe so graunted, for which costes & damages the partie to whom they shalbe awarded, may haue an A. of debt by W. P. I. &c. in any of the Queenes courts of record, wherein no Wa. E. P. &c. 2. Ed. 6. 13. S. Tithes. 25. &c.

Consultation for default of proouing the suggestion.

¶ Prophecies.

IF any person do aduisedly and directly aduance, publishe, & set forth by wryting, printing, singing, or any other open speech, or deuise to any person or persõs, any fond, phantasticall, or false prophesy, vpon, or by the occasion of any Armes, Fieldes, Beasts, Badges, or such other lyke thinges accustomed in Armes, cognisances, or signets, or vpon, or by reason of any time, yere, or day, name, bloudshed, or warre, to the intent thereby to make any Rebellion, insurrection, discenciõ, losse of life, or other disturbance vnto this Realme, and other the Queenes Dominions: Then euery such person being therof lawfully conuicted &c. for euery such offence shal suffer imprisonment by the space of one yere without baile or

mainprise, & shal forf. to the Quæne and J. x. li. to be recouered by A. J. &c. wherin no W. C. P. &c. And if any offendor do either offend in any of ỳ premisses after such conuiction, & be therof lawfully conuicted, then he shal for his second offence & conuiction suffer imprisonment wõut bayle or maynprise during his life, & also forf. to the D. & J. &c. al his goods & cattels reals & personals. But no person shalbe impeched of any offence committed contrarie to this Act, vnles he be therefore impeched or accused within vi. monethes next ensuing such offence by hym done. 5. El. 15. S. Iustices of peace. 24.

¶ Protections.

By the Queenes Protection the parties suit shal not be hindered but his execution.

IF the Queenes Maiesty doe by her Prerogatiue, graunt to any persons which be bõũd to her grace for any maner of debt, protectiõs, that they shall not be impleaded for any debts which they owe to others, vntill they haue made satisfaction to her, for that which is due vnto her: Yet notwithstanding euery man which hath cause of actiõ against such debtors, shal be answered in ỳ Queenes Court by the said debtors, & if the plaintife or demaundaunt haue iudgement geeuen for him, the execution of the iudgement shalbe suspended, vntill the Queene be satisfied of her debt. And if the creditors will take vpon thẽ to aũswere the Queenes debt, they shalbe thereunto receiued, & moreouer shall haue execution against ỳ debtors of the debt due vnto thẽ, & also shall recouer agaynst thẽ so much, as they pay to the Queene for them. 25. Ed. 3. 19.

Protection cum clausula volumus.

2 ¶ No Protection with the clause (Volumus) shalbe allowed before any Iudge, for Vitailes taken or bought vpon the viage, or seruice whereof the Protection maketh mencion, nor yet in plees of trespas, or of other cõtracts made or cõmitted after ỳ date of ỳ same Protection. 1. R. 2. 8.

Protection Quia profecturus

3 ¶ No Protection with the clause (Quia profecturus) shalbe allowed in any plee whereof the suit is cõmenced before the date of the sayd protecciõ, (except it be in a viage roial, or in ỳ Queenes messages for the affaires of the Realme). But they which be impleaded shal make their Atturneis to aũswere for thẽ in such plees, or tarry them selues if they wil. But the Protection (Quia moritur) shalbee allowed in all cases, as it hath bene. 13. Richardi secundi. 16.

Causes of repealing a protection.

4 ¶ If any tarry in ỳ Countrey without going to ỳ seruice, for the which he is retained, more then a conueniẽt time after he hath his Protection, or do returne from the same seruice, & the Chãcelor of Englãd be therof informed, he shal repeale his Protectiõ

13. R. 2.

H.8.16. And if one do call a Protectiõ of the Quéenes seruice, & his aduersarie wil challenge the Protection, and immediatlie after it is shewed forth wil auerre that his aduersarie was without the Seas, and forth of the Quéenes seruice, so that he might not come, the challenge shalbe entred of record, & the matter shal remayne without day, according to the nature of the Protection, and when the partie shalbe resummoned & come into the Court & demaũd iudgement & hearing of the proces, & offer to auerre his challenge if his aduersarie wil attend: if the Enquest passe against him which call the Protection, it shal turne him to a default, if he be tenant, and if he be demaũdant, he shal lose his writ & be amerced. 23. Ed. 1. Sta. de Protectionibus.

Protection in the County of Chester.

¶ No writte of course in the nature of a Protection shalbe granted within the Coũtie Palantine of Chester, vpon the suggestion of any person indebted to any other cõming to the Escheator in the said Countie palantine, & there taking a corporal othe, that he shal pay his creditors as he shalbe able (as in times past it hath bene vsed) without a special warrant from the Quéene, her heires or successors, containing such Protection. 34. H. 8. 13.

¶ Purueiours.

No subiects Cator shal take any thing against the owners consent.

¶ If any Chator, or other Officer of any Lord or other person, do presume to take, or else do take any vitailes, corne, hay, carriages, or any other thing of any of the Quéenes liege people in anie maner against their wils, without making a lawful bargaine betwixt the said Chator or Officer, & the said person (except it be for ỹ Quéene & her house) thẽ if notice or request be made to ỹ Mator, Sherife, Baillife, Constable, or other of the Quéenes officers of the Cities, Borroughs, Coũties, or places where such taking shalbe, the said Mator, Officer &c. shal immediatly take and arrest all such Chators & officers so offending, & send them to the Quéenes next prisõ, there to remaine without baile or mainprise, vntil they haue redelyuered al ỹ things so takẽ, or ỹ very value thereof. And if ỹ said Mator, officers &c. do ỹ contrary, they shal forf. xx. li. whereof the Quéene shal haue the one halfe, & the party from whõ ỹ things were taken the other, if he will sue, by A. of debt, wherein no Wl, &c. & if he wil not sue, whosoeuer wil, shal haue the suit to recouer ỹ one moitie for the Quéene, and the other for him selfe. And if any of the said Chators (other then the Quéenes) be duely conuict of such vnlawfull taking, then they shall yéelde to the partie which sueth, the treble value of the thinges so taken, and the double costes of their suites, and also shall make fyne to the Quéene.

And in al those actions no .31.tc.23.H.6.14. It seemeth by some statutes, that if any mans Chator, or Seruaunt, other then the Quenes, do take any thing of any mā but of him which will lingly sell it, as he can agree with ỳ seller, or do not pay for it presently according to the agreement, it is Felony in the same Chator. 36.Ed.3.6.7.R.2.7.S.4.

Felony.

No spirituall persons goods shalbe taken.

2 ¶ No Sherife, or other Officer of the Quenes, nor any other person, shal by commission vnder the great Seale, or priue seale, or without commission, take, or carry away, any manner of corne, hay, vitailes, horse, bullockes, cartes, boates, ships, or any goods of any Archbishops, Bishops, Prelates, Parsons, Vicars, or of any other of the Clergy vnder the colour of buying, or by any other meane, within their manors, houses, granges, nor in other places within the fee of the Church, or in market Townes, or any other places against the willes of them whose the goodes be, or of them in whose possession they then do remaine. Neither shall the sayd Prelates or Clergy be charged to receiue into their houses any hostages, or soiourners of Scotland, or other forrein Nation. Nor ỳ Horses, Dogs, Faukons, or other Haukes of ỳ Quenes, or any other persons against their wils, sauing they which of ancient right do owe to her Grace that seruice, to keepe her Horses, Haukes, Dogs, &c. 3.Ed.1.1.10.Ed.1.14.Ed.3.1. And if any of the Quenes Purueyors, or takers do the contrary, the Prelates & Clerkes shal haue their action of Trespas against them, and recouer their treble damages. 1.R.2.2. And in al Cōmissions to be made for the prouision of the Quenes house, the fees of ỳ Church in euery place shalbe excepted. 18.Ed.3.4.

Purueiors shal agree for things taken.

3 ¶ Purueyors for the Quenes house shall pay or agree for the prices that they shall make in the Countrey, of meate, drinke, and other necessarie things for the same house, with them of whō the thinges be taken, and they shall haue their warrant or Commission with them (sealed with the Quenes great seale. 36.Ed.3.2.) containyng their authoritie, and the thinges whereof they shal make prices, or purueiance, the which warrāt they shal shew to them of whom they make their prices, before they do take any thing. And if any Purueior of the Quenes house, by reason of his warrant doth make prices in other sort then is before limitted, if vppon complaynt made to the Treasourer and Stewarde of the Quenes house, and by enquirie he be thereof attainted, he shall agree with the plaintife, immediatly be put out of the Quenes seruice for euer, and remaine in prison at the Quenes pleasure. Sta. de Prisis. 28.Ed.1.2.

Purueiors shal shew their cō: mission.

4 ¶ If

4 ¶ If any make purueiance or prices without warrant, & do them away against ỹ will of ỹ owner, he shalbe arrested by the Towne where ỹ prices were made, & carried to ỹ nert gaole, & be thereof attainted, he shalbe punished as a Felon, if the value of the goods do so require. 28. Ed. 1. 2. Purueiance without warrant. Felony.

5 ¶ All purueiances which shalbe made for the Quéenes house where she doth abide & passe through the Country, shalbe made by warrant & power geeuen to them which shal make the purueiãce, in which warrant it shalbe contained that they shall buy nothinge but by agreement betweene the buyer and the seller, and by the good will of the sellers, and if any by colour of hys commission, take any thynge against thys ordinaunce, none shalbe bound to answer him any more then if he had no commission. Anno. 14. Ed. 3. 19. Purueiance by the owners goodwill.

6 ¶ No Constable, or his Bailiffe shall take corne or cattell of any man for to vittaile his Castel, if the man be not of the towne where the Castell is, but he shall forthwith pay for the same (except the seller will respite the payment.) And if he be of the same towne, the price of the corne and cattell shalbee payed within xl. dayes. (except it be an auncient price due to the Queene, ỹ Castel, or the Lord of the Castel.) Mag. Chart. 9. H. 3. 19. Westm. 1. 3. Ed. 1. 7. Purueiance for a Castel.

7 ¶ If any take Corne or vitaile to the Quéenes vse vpon credit, or to the garryson of a Castell, or otherwise, and when they haue receiued their payment in the Eschequer, wardrobe, or elsewhere, do withhold it from their creditours, if they haue any lãds or tenements, it shalbe leuied of their lãds & goods, & paied to their creditors, with the dammage they haue sustayned, & also they shal pay a fine to ỹ K. for the trespas, & if they haue no lãds, they shal be imprisoned at the Quéenes pleasure. 3. Ed. 1. 31. Withholding of money due for prices.

8 ¶ If any taker of wood or tymber to the Quéenes vse for carte or any other thing, do cause to be cutt or felled downe any trees growing about or within his house, he shall pay to the party his treble dammages, be one yeare imprisoned, and lose his office. 25. Ed. 3. 6. But by the statute of Mag. Chart. 9. H. 3. no wood shalbee taken for the Quéene without the owners assent. Taking of timber about a house.

9 ¶ No Purueyour of the Quéenes shal take any more sheepe then share time, but so many as may reasonably suffice vntill the time, & after that time they shal take as many shorne sheepe and other, as may reasonably suffice for ỹ time to come. And if ỹ taker, purueiour or buyer take any sheepe with their wooll, betwixt Taking of sheepe.

betwixt Easter & the feast of Saint Iohn Baptist, praise them at a small price and send them to his house to be shorne to his own profit, & thereof be attainted at the suit of the Queene, or the party he shalbe vsed as a theefe or a robber. 25. Ed. 3. 15.

Felony.

Quere.

Purueiãce for the Queenes horses.

10 ¶ All purueyaunces that shalbe made for ỳ Quẽnes great horses, so long as they do soiourne in any countrey, shalbe made by the Sheriffes of the counties where such horses do soiourne, & not by any other, and the purueyaunces made by the Sheriffe in this case shalbe deliuered to the keepers of the horses, by Indenture. 10. Ed. 3. 4. But no commission shalbe made to any, but onely a commaundement to the sheriffe, that he make purueyance of the oates of his bayliwike, and the number of the horses for the which he shall make purueiance shalbe contained in the commaundement, and no purueiãce shalbe made aboue that number, sauing that the chiefe keeper shall haue a hackney, and for euery horse shalbe allowed one seruant without bringing woman, Pages, or Dogges with them. And if there be any more found then remaine to charge the countrey, they shalbe sent to prison vntil the Queenes pleasure be knowne. And in like maner puruiances shalbe made for ỳ Quẽnes dogges, when as she sendeth them into ỳ countrey, & if any man be greued against ỳ forme aforesaid, he shal haue his remedy against the sherife. 14. Ed. 3. 19.

Purueiãce for the Queenes dogges.

Purueiãce for the Queenes wardrope.

11 ¶ Takers of prises in fayres, good townes, and in ports for ỳ Quẽnes wardrope, shall haue their common warrãt vnder the great seale, & the things that they shal take, shalbe testified vnder the seale of the keeper of the wardrope, Of the number of the thinges taken, the value, and the quantitie, there shalbe an Indenture made betwene the takers and the keepers of faires, Maiors & bailifes of those townes and ports where such goods be taken, by the view of those marchants whose goodes bee taken, & they shall take no more then is contained in their Indenture, which indenture shalbe sent into the wardrope vnder the seale of the keepers of the faire, Maior, or chiefe bailife, there to remaine vntill the accompt of the wardrope be geuen to ỳ Quẽne. And if any be found that he hath taken otherwise then he ought to doe, vpõ his accõpt he shalbe punished by the keepers of the wardrope according to his deserts. And if any make such prises without warrant, he shalbe punished as a Felon, if the value of the goodes do require it. 28. Edwardi. 1. 2.

Felony.

No vitailer shalbe a taker of carriage.

12 ¶ If any letters patents at any time shalbe graunted to any hostelers, bruers, or other vitailers keeping hosteries, or hostes of retaining of vitailz, to take horses & carts for ỳ Quẽns carriage

the same patents shalbe voide. 28. H. 6. 2.

13 ¶ If any person do take any Horse or Cart, without agree- Taking money to spare any mans horse or cart, or taking without an officers delivery.
ing with the owner for the same, & by the deliuerance of ỳ Maior, Shiriffe, Bailiffes or Constable where such taking is, or do take any money of any person for to redeliuer vnto him his Horse or Cart, which he hath take, or do take any fine of any of ỳ Quęenes people to sheiue them favor, & not to take their Horses or Cartes, then he or they from whom such Horse or Cart, or of whom such fines or payments be taken, shall haue an accion of trespas at the common lawe for such takings, & shal recouer against the offendor treble damages. 28. H. 6. 2. 3. Ed. 1. 31. But no demeine Cart of any spiritual person, Knight, or Lord shalbe taken. Magna Charta 2 H. 3. 21.

14 ¶ No Buyer or Purueiour of vitailes, or taker of cariages Receiuing reward to charge an other.
shall receiue of any one or other, any gift or other good turne to spare him, nor to charge or grieue any man by reason of such takings, buyings, & carriages for hatred, enuy, euill will, or procurement, & if he do, & thereof be attainted at ỳ parties suit, he shal yeld ỳ partie his treble damages, haue two yeares imprisonment, be fined at ỳ Quęenes pleasure, & forsweare ỳ court, & if the party will not sue, he that will sue for ỳ Quęene shal haue ỳ third penny of ỳ which shalbe recouered, for his paines, & neuertheless ỳ purueiour shal receiue ỳ foresaid punishment. 36. Ed. 3. 3.

15 ¶ Certaine marchants, or other honest and discręte men Purueiances for Ships & castels.
shall be assigned by the Lorde Treasourer to make purueiance of sishe, fishe, & other vitailes for ỳ Quęenes warres, and for to victuaile Castels, and townes in England, or elsewhere, without cõmission, & wout ỳ Quęenes authoritie or any other, so ỳ no man shalbe enforced to sell any thinge agaynst hys will. 14. Ed. 3. 19.

16 ¶ All Takers & Purueiours shall take al corne, hay, lytter By what measure purueiors shall take.
and other vitaile & goodes of the Quęenes people by measure stryked, according as is vsed through the Realme, and shal not measure them by heape, nor otherwise take excessiue measure, and shal make present payment for the carriage thereof, & no man is bound to deliuer for the quarter but. viij. bushels stryked. 4. Ed. 3. 3. 25. Ed. 3. 1. 36. Ed. 3. 2. 11. H. 7. 4. And if any of the Quęenes Purueiours, or other persons do buy, or take any corne in other sort, or by other measure but eyght bushels stryked for ỳ quarter, and therein is attainted, he shalbe one yeare imprisoned, pay to the Quęene xxxiij. shillinges, & to the party grieued as much for euerie time that he is thereof attainted. And ỳ partie that will sue, may haue his accion vpõ the case, & aswell ỳ partie grieued, as euery one of ỳ

Quęenes

Quęenes liege people which will sue for the Q. may maintaine ſuit in this case at his pleasure. And nothing shalbe taken for measuring of ỳ said Corne, 1. H. 5. 10. 11. H. 6. 8.

Apprayſement of thinges pur-ueyed.

17 ¶The Corne, Cattaile, and other vitaile, & things which shalbe taken for ỳ Quęenes house, shalbe take in such place where most plentie is, and in conuenięt time, and no more then is needfull for that season, and if the Purueiour or Buyar cannot well agrée with the seller for that which he shal nęede, then ỳ same shal be prayſed at the verie value, by the Constables, and fower honeſt men of the Townes where such taking is thereunto ſeruing, and the prayſers shal not be constrayned by Manaſſe, threates, ires, or other villany to ſett any price, other then their othes require, but as such thinges doe commonly goe in the next markets, and Indentures or Tailes shalbe presently made betwixt the purueyours and those from whom the goodes be taken, in the presence of the said Constables and fower prayſours, containing the quantitie of their takings, the price, and of what persons, & they shalbe ſealed with the Purueiours ſeale, by which Indentures or Tailes ſatisfaction shalbe made to them from whom such goods be taken, and if any taker or purueiour doe make his promiſion in any other manor then by fower diſcręte mẽ of the towne, or dge not deliuer Tailes or Indentures with his seale as is aforeſaid, he shalbe incontinently arrested by the Towne where such purueiance was made, & brought to the next Gaole, and if he be thereof attainted,

Felony.

hee shalbe punished as a Felon, if the quantitie of the goods do require, An. 5. Edwardi. 3. 2. 10. Ed. 3. 1. 25. Ed. 3. 1. 36. Edwardi 3. 2.

Quere.

¶But conſider the foreſaid ſtatuts diligently vvhether the apprayſement shall be made by the lordes of the tovvnes or their bailiffes, or by the Conſtable and fovver men of the tovvne, and vvhether there shalbe Indentures deliuered or Tailes, and alſo whether the ſaid Indentures or Tailes shalbe made betvvene the purueiours & iiij. praiſers, or betvvene the purueiours & owners &c. for thereupõ the foreſaid ſtatuts do somevvhat differ. S. 27. 28.

Commiſſions to enquire of purueiours behauiour.

18 ¶Commiſſions shalbe directed vnto two wiſe & credible men of euery countie, & to a third man of ỳ Quęenes house, ỳ they thręe, or two of them shall inquire of the behauiour of ỳ Quęenes purueiours & buyers, & how much ỳ Quęenes purueiour of victuall & of great horſes haue taken & bought, & how much carriage they haue taken of euerie village or ſinguler perſon, & to heare & determine aſwel at the Quęenes ſuit as at any other mans which

find him selfe grieued, the contempts, outragious dealings, & tres-passes cõmitted by them in this matter. And that ỳ saied Justices or commissioners may be duely informed of the forsaid thinges the Steward, Treasourer, and Comptroller of ỳ Quéenes house shall assemble together, and call before them al the clerkes & other officers of ỳ same house, and seeing the receipt of ỳ parcelles purueyed in the countrey, and spent in the said house euery quarter, or halfe yeare, shall certifie into the Chauncerie the parcels taken in euery village, and of euerie person, which certificat ỳ Lord Chaũcellor shal send downe to the forsaid Justices or Commissioners, and if it be found at ỳ Quéenes or the parties suit in the countrey by euydence of their indictors, or in other maner, that the purueyors haue taken more then they haue deliuered to the Quéenes house, and that they haue not payed for that which they haue takẽ it is Felony, and they shalbe punished as Felons. 36. Ed. 3. 4. Felony.

19 ¶ If any taker or buyer, after cõmission to him directed, doth puruey or buy, or take any carriage in other maner thẽ is cõprised in his commission, it is Felony. 36. Ed. 3. 2. Purueiance in other maner then is comprised in his commission.

20 ¶ Euery Purueiour and buyer for ỳ Quéene, before he hath his commyssion, shalbe sworne in the Chauncerie, that he shall take nothyng of the Quéenes people, contrary to the forsaied statute made. 36. Ed. 3. against ỳ disorder of Purueyours, In which statute amongst other thynges it is ordayned that the haynous name of Purueiours shalbe changed, and that they shalbée called buyars, and that there shalbée as few of them as may be. Anno 23. H. 6. 1. Purueiors oth. The name of purueiours changed.

21 ¶ The prayours, & al ỳ townes adioyning (if néede be) are bound to do their endeuour, to resist the buyers and purueyours doing contrary to the said statute made. 36. Ed. 3. and as much as in them is to execute the same statute vppon the purueiours if they be required, and if he which is grieued with the taking of his goods contrary to the said statute, may chose to haue his accion of debt against the said prayours, towne or townes & euery of them which do not their endeuour in resistance of the saied purueyours or buyers in forme aforesaid when they be required, or els against the said purueiours and euery of them, to recouer the treble value of the goods so taken, and also his treble costes and damages. And if any purueiour, or other of the Quéenes officers doe trouble in ỳ Marshallye, or elsewhere, any of the Quéenes liege people by any euill suggestion, or cause fayned against them, because of ỳ execution of the forsaid ordinaunces made 36. Ed. 3. he shal forf. to ỳ partie grieued xx. li. besides his damages & costes thereby sustayned: Resistance of the purueiors offending.

ned: And ỳ party shal haue thereupõ an actiõ of debt. And euery issue triable in this actiõ shalbe tried in ỳ coũty where ỳ goods were take, & ỳ defendants in al ỳ forsaid cases, shal answer wout wage chyng, and no W. & C. P. nor ayd of the Queene shalbe allowed to them. And the Seriant of the Catery, shal satisfie al the damages, debts, and executions which shalbee recouered against any Purueiour vnder hym in all the forsaid cases. And if the Purueyour be not sufficient to make satisfactyon, the playntife shall haue a Scire facias against the saied Seriant to haue execution. 23. H. 6. 1.

Seriant of the Catrie.

Redy payment

22 ¶ No Purueyour or Buyar shal make any purueyance for the Quéenes house of any thinge to the value of forty shillinges or vnder, except he make ready payment in hand, vpon paine to lose his office, and to pay the value to the partie greéued. 2. H. 4. 14. And in case any Purueyour, Buyar, or Taker, will take or buy any thing to the value of forty shillinges or vnder of any person, & make not ready payment in hande, then it is lawful to euery of ỳ Quéenes liege people to retaine their goods and cattels, and to resist such purueyours and buyars, & in no case to suffer thẽ to make any such purueiãce, And euery Constable, Tythingman, or chief pledge of euery towne or hamlet where such purueiance shalbe made, shalbe assisting to the possessor or seller of such thynges to be taken against the forme aforesaid, to make resistance in forme aforesaid, in case they be required so to do, vpon paine to yelde to the party greéued the value of ỳ things so taken with his double damages, & none of ỳ Quéenes people shalbe put to any losse or dãmage by ỳ Quéene, or any of her officers for such resistãce, & none of ỳ Quéenes officers shall cause any of the Quéenes people to be arrested, bered, or impleaded in the court of the Marshalsye, or elsewhere, for such retainínge or not sufferance, vpon paine to forfait. rr. li. to the K. & I. &c. & in euery accion commenced vpon this statute, ỳ defendant shal answer wout aide of the Quéene, & in such actions proces shalbe made, as in a writ of trespas done against ỳ peace. 20. H. 6. 8.

The Quéenes Purueyours may take within liberties.

23 ¶ Purueiors assigned by the Quéenes commission for prouisiõ of her grace, shal and may prouide al vitayls, corne, and other kind of thinges whatsoeuer it be, aswell within liberties & franchises as without, any graunts, allowance or other thing to ỳ contrary, or let thereof notwithstanding, But such Purueiors shall obserue the Statutes for them prouided in euery behalfe. Anno 27. H. 8. 25.

Taking of fishe

24 ¶ No Purueiour or other person whatsoeuer, shal by vertue of any

of any commission or otherwise, take any herring, or Sea fishe of any of the Quenes subiects, that shal take ỹ same in ỹ shipps or other vessels of the said subiects, otherwise then by agreement of the owners or sellers of the said fish, vpon paine to forfait the double value of the herrings or fish so taken. And it is lawfull for any person being owner or seller of any such fish so take, to withstand any per so that will (by colour of purueying or otherwise) demaunde any such fish, or the Toll of any such fish, without ỹ good will of the owner or seller. Prouided that the fish called Composition fishe, heretofore graunted to the Quene by the Subiects of this realme trauayling into Island, shalbe taken by her Maiesties officers and purueiours, in such sort as the same hath ben lawfully vsed to be taken before the making of this act. And sauing to the Quene her heires and successors & to al other persons, such fishes as be knowne & vsed to be called regal fishes, whereunto her Maiestie or ỹ said other persons haue or shall haue right or interest for such recompence as heretofore hath bene accustomed. 5. El. 5. to continue to ỹ ende of the next Parliament.

Composition & regall fishe.

25 ¶ Euery commission that shalbe made graunted, and directed to any person or persons, whereby he or they, or his or their deputies shal haue authoritie to take any Beeues, Wethers, Labes Calues, or any kind of salt fish, or any kinde or kindes of graine, or Butter in barrels, or other vessels, Cheese, Bacon, Conies, Pigs, Geese, Capons or Hennes, shall not continue aboue sixe monethes at the farthest, next ensuyng the date of any of the sayed commissions, and after the ende of the sayd sixe monethes euery of the sayd cõmissions shalbe void, whatsoeuer words, matter, or sentences bee contayned in any of them. 2. &. 3. P. &. M. 6.

How long commissions for the taking of vitail shall endure.

26 ¶ In euery such commission, shalbe playnely aswell expressed such countie or coũties, as any of the said Beeues, Wethers, Lambes, Calues, Hogges, or Swine, or any kinde of salt fish, or any kinde or kindes of graine, Butter, Cheese, Bacon, Conies, Pigges, Geese, Capons or Hennes, is to be purueyed or taken in by any of the persons, or their deputies so authorized by the sayed cõmission, as also the full proportion & number of all such Beeues, Wethers, Lambes, &c. or any of them, as any of ỹ saied pers̃os or their deputies shalbe by force of ỹ said cõmissiõ authorized to take & puruey win any of the said Counties. Anno. 2. &. 3. P. &. M. 6.

In commissiõs the Countie where, and the quantitie of the things to be taken, shalbe expressed.

27 ¶ To euerie such commission shalbe annexed so many blãks in parchment as there shalbe seuerall counties named within the said cõmission, in ỹ which blãks shalbe faire & leageably writte, al euery such Beeues, Wethers, Labs, Calues, Swyne, any kind of salt

Blãks annexed to commissiõs.

of salt fishe, or any kinde of graine, butter, cheese, bacon, conyes, pygges, geese, capons, & hennes, with the true & seuerall prices of euery of them, as shalbe purueyed and gathered by any person or his deputies thereunto auctorized by any such commissiō, within any particuler towne, parishe, or hamlet, being within any shire coūties as shalbe expressed within the said commission, whereunto shalbe subscribed the name or signe manuell of euery such high constable, petit cōstable, or headborough, as shalbee by any precept to him directed by any person, or any of his deputies, auctorized thereunto by such commission priuie or knowledging to the deliuerie of the said beeues, or other thinges aforesaid or any of them. 2. & 3. P. & M. 6.

The high Constables hād sett to euery blanke

28 ¶Euery person or his deputie which shalbe by commission auctorized to take any beeues, wethers, lambs, calues, swine, salt fishe, or any kind of graine, butter in barrels, or other vessels, cheese, bacon, conies, pygges, geese, capons, and hennes, or any of them, shal make a Docket or briefe in writinge subscribed with his name, containing al & euerie such Beeues, Wethers, and other thinges aforesaid, as he shall by vertue of the said commission take within any particuler towne, parishe, or hamlet in any such countie or counties, as shalbe expressed within the said commissiō and the same Docket or briefe faire and leageablie written & subscribed, shall truely deliuer to the said high Constable, petit Constable, or headborough, at such present time, as ỳ said beeues, or other thinges aforesaid shalbe deliuered to any of thē, vpon paine of x yeares imprisonment, & to forfait a hundred markes to the Q. I. to be recouered by A. I. &c. wherein no Wl. &c. E. P. &c. as of as he shall offende. All which dockets or brieues, the said high constable, petit constable, or headborough shall deliuer ouer to ỳ Justices of peace at the nert generall sessions holden within any of the said counties. And the same Justices or two of them, may & shal from time to time certifie the whole number & content of all and euery the said dockets & brieues to ỳ Lord Steward of ỳ Queenes houshold, or to the Treasorer or Comptroller of the same, or any of thē, or to the Treasourer or cōptroller of ỳ Queenes Shippes, if prouision of any the thinges beefore mencioned be taken for the vitailinge of the Naue, or any of the Queenes Shyppes, whereby the true serumge of any of the foresaied Commissions, and true aunsweringe of the same shall fully appeare. Anno. 2. & 3. P. & M. 6.

Dockets deliuered to the high cōstabels.

Dockets deliuered to the Justices of peace.

All former statutes prouided for purueiors

29 ¶It is not lawfull to any person, or his deputie auctorized by such cōmission, to leuie, take, or puruey any Beeues, Wethers, Lambes,

Lambes, Calues, any kind of salt fish, Grayne, Butter in vessels, Cheese, Bacon, Conies, Pygges, Geese, Capons, & Hennes, or any of them, in any other sort then is expressed in seuerall statutes heretofore made for Purueyors, vpon such paines, as in the sayd seuerall statuts is contayned. 2. & 3. P. & M. 6. must be obserued.

30. ¶All such lawes, statutes, & prouisions as heretofore haue bene made against Purueyors, & euery of the penalties and losses appointed in any of the same against Purueyors & takers, shal also be extended and executed vpon euery of their vnder Takers, deputies, and seruants. And all other which by colour shall take any vittaile or any other thing by force of any such Commission from any of Queens subiects, contrary to the tenor & effect of any of the said lawes or statutes, in like maner to all intentes, as the same should or ought to be extended against Purueyors and takers thē selues, & as strongly as if the said vndertakers, deputies, and seruants were specially and particularly named in euery of the same statutes. 2. & 3. P. & M. 6. Statuts prouided for purueyors shal extend to their deputies.

31. ¶Euery Commission that shalbe made and graunted vnto any Purueyour, shalbe written in the English tonge, and not otherwise. 2. & 3. P. & M. 6. Commissions written in the English tongs.

32. ¶No Purueyor, Taker, Badger, Lader, Pulter, or other minister for the Queene &c. nor any other common Pulter, shall take, or bargaine for any kinde of vittaile or graine in any of the markets or townes of Cambridge, or the Citie of Orforde, nor within the compalle of fiue miles thereunto adioyning, without the consent & licence of either of the Chauncellors or Vicechauncellors in writinge obtayned vnder the seale of the Office of the said Chauncellor or Vicechauncellor of either of the said Vniuersities, and in no other forme then in the said licence shalbe expressed, so as the same geeue not to any of the said Purueyors or others, any further auctority then they haue, or may lawfully vse in other parties of the same countrey, being without the said limits of fiue miles. Neyther shall attempt to take away, or bargaine for any graine and other vittaile bought & prouided within the said space of fiue miles, by any common minister of any Colledge, Hostell, or Halle, to be spent within any of the same Colledges, Hostells, or Halles, without like licēce, & in no other forme, then is nert afore mencioned, vpon paine of forfaiture of the quadruble value of any such graine or vittaile so taken or bargained for, in any of the sayd markets, or within the said space of fiue miles, or attempted to be taken, caried away, or bargained for, being prouided to be spent in any of the said colledges, hostels, or halls: The one halfe of which Purueyance within Cambridge or Orforde, or fiue miles thereof.

forfaitures shalbe to the common Treasour of either the said Vniuersities, respectiuely to the fault cõmitted against this their priuiledge, the other to the partie that will sue for the same by A. B. &c. in any Court of record, or before the foresaid Chauncellor or his Vicechauncellor, or Commissary, & two Iustices of peace of y Countie where the said Vniuersitie is set, & further shall suffer imprisonment for the space of three moneths without baile or mainprise. 2. & 3. P. & M. 15. 13. El. 21. 14. El. 11. S. Iustices of peace. 60.

Purueyors may take of them which refuse to serue the Vniuersities.

33 ¶If any person wiin the said precinct of fiue miles, shall refuse reasonablie to serue the necessary prouision of the said Vniuersities, according to the true meaning of this act, then it shalbe lawfull to any of the Queenes Takers or Purueyors to prouide any corne or vittaile of any such person within any part of the precinct aforesaid, to the vse of the Queene, as shalbe declared to the sayd Takers to be persons not worthy of the said priuiledge, (for not reasonable seruinge the necessities of the said Vniuersities) by the Chauncellor or Vicechauncellor of either of the said Vniuersities, with the consent of two Iustices of peace resiant within either of the said Vniuersityes, Citie, towne, or countie, vnder their hands and seales, as the saide Purueyours lawfully may in any other place without the said precinct of fiue miles; and not otherwyse. 13. El. 21. 14. El. 11.

The Act suspended during the Queenes continuance within 7. miles.

34 ¶But this act shall not be put in execution at any tyme, whensoeuer the Queene, her heirs or successors shal come to any of both the sayd Vniuersities, or within vij. miles of either of them, but shalbe in suspence during that time onely, and no longer. 13. El. 21. 14. El. 11.

The liberties of Oxford & Cambridge reserued.

35 ¶This Act shall not be preiudiciall to the Maior, Bailifs, & cominaltie of the Citie of Oxford, nor to the Maior, or cominaltie of the Towne of Cambridge, or to their successors, concerning any of their liberties or priuileges. But euery of them & their successors respectiuely may haue and vse the same in such maner as they ought to haue done before &c. 2. & 3. P. & M. 15. 13. El. 21. 14. El. 11. to continue in force vntill the end of the next Parliament.

1 That no Purueyour of timber shall sell any timber to the Queenes vse but onely in barking time or els shal take avvay any more then onely the timber tree. S. Barke 2.

2 That the statut prouided 35. H. 8. for the preseruation of vvoodes, shall not extend to vvoodes purueyed by the Queenes Commission. S. Woodes 17.

3 Concerning Purueyors for Cities and corporat Townes. S. Badger 4.

In

In assises of Darreine presentment, and in the plee of Quare impedit of Churches being voyde, dayes shalbe gyuen from xb. dayes to xb. dayes, or from three weekes to three weekes, as the place shalbe neere or farre of. And in the plee of Quare impedit, if the disturber doe not come at the first day whereunto he is summoned, nor doe cast an Essoine, then he shalbe attached agaynst an other day, in which daye if he come not nor caste an Essoine, he shalbe distrayned by the graunde Distresse, and if he doe not then appeare, by hys default the Bishop of the same place shalbe written vnto that the disturbers denyall shall at thys time nothinge hinder the plaintife. Sauinge the disturbers right an other time when he will sue, Marleb. 52. H. 3. 12. Proces in Quare impedit.

¶ Queene, Crovvne, and supreame gouernement

The law of this Realme is, and euer hath bene, and ought to be vnderstanded, that the kingly or regall Office of the Realme, and all dignities, Prerogatiue, royall power, preheminences, priuiledges, authorities, and iurisdictions thereunto annexed, or belonging, being inuested either in male or female, are, and be, and ought to be as fully and entierly accepted, inuested, and taken in the one, as in the other, so that what or whensoeuer statute or lawe doth appoynte, that the kinge of this Realme may or shal haue, execute, and doe any thing as kinge, or doth gyue any commoditie to the king, or doth appoint any punishment for the correction of offendors agaynst the regaltie and dignitie of the kinge or of the Crowne, the same the Queene (being supreame gouernesse, possessor, and inheritour to the imperiall Crowne of thys Realme, as our Soueraigne Lady the Queene most iustly presently is) may by the same authoritie likewise haue, exercise, execute, correct, and doe to al intents without doubt or question. 1. M. 1. Parliament 1. The Queene inioyeth al regall power as king.

2 ¶ No forreine Prince, Person, Prelate, State, or Potentate, spirituall or temporall, shall vse, inioy, or exercise, any maner of power, iurisdiction, superiozitie, authoritie, preheminence, or priuiledge spirituall or ecclesiastical, within this Realme, or within any other the Queenes dominions that now be, or hereafter shalbe, but the same shalbe clerely abolished out of all her dominions for euer. 1. El. 1. All forreine power abolished.

3 ¶ Such iurisdictions, priuiledges, superiozities, & preheminences spirituall, as by any spirituall power hath heretofore bene, or may lawfully be vsed for the visitation of the ecclesiastical stat and Ecclesiasticall iurisdictions annexed to the Crowne.

persons, and for reformation, order and correction of the same, & of all maner errors, heresies, schismes, abuses, offences, contempts, and enormities, shall for euer be vnited to the imperiall Crowne of this Realme. And the Quéene, her heires and successors, kings and Quénes of this Realme, shall haue full power by letters patents vnder the great seal, to name and authorize when, as often, and for so long time, as her highnes, her heires or successors shall thinke méete, such person or persons (being naturall borne subiects to her grace, her heires and successors) as she or they shall thinke méete, to occupie and execute vnder her &c. al maner of Iurisdictions, priuiledges, and preheminence in any wise concerning any spirituall iurisdiction, within England and Ireland, or any other the Quénes dominions, and to visite, reforme, order, correct, and amende all such errors, heresies, schismes, abuses, offences, contẽpts & enormities, which by any ecclesiastical power may lawfully be ordered, corrected or amended, to the pleasure of GOD, the increase of vertue, and the conseruation of the peace, and vnitie of this Realme. And such person or persons so authorized by the Quéne &c. after the said letters Patentes to him or them deliuered, shall haue authoritie vnder the Quéne &c. to vse and execute all the premisses, according to the tenor and effect of the said letters patents &c. 1. El. 1.

Cõmissioners in causes of religion.

4 ¶ Euery person hereafter particularly named, shall make, take, & receiue a corporall othe vpon the Euangelists, according to the tenour & effect following, before such persons, at such places & in such times, as be hereafter specified.

The Othe.

I A.B. doe vtterly testifie, and declare in my conscience, that the Quénes highnes is the onely supreame gouernor of this Realme, and of all other her highnes dominions, and Countryes, as well in all spirituall, or Ecclesiasticall thinges or causes, as temporall. And that no forreine Prince, Person, Prelate, State, or Potentate, hath or ought to haue any Iurisdiction, power, superioritie, preheminence, or authoritie, ecclesiasticall, or spirituall, within this Realme, and therefore I doe vtterly renounce and forsake all forreine iurisdictions, powers, superiorities, and authorities, and doe promise that from henceforth I shall beare faith and true allegeaunce to the Quénes highnesse, her heires and lawfull successors, & to my power shall assist and defend all iurisdictions, priuiledges, preheminences & authorities, graunted or belonging to the Quénes highnes, her heires and successors, or vnited & annexed to the imperial Crowne of this Realme, so help me God, & by the contents of this booke. 1. El. 1.

5 ¶ All

5 ¶All and euery Archbishop, Bishop, and euery other Ecclesiasticall person, and ecclesiastical Officer or Minister, and euery Iudge, Iustice, Maior, and other lay or temporall officer, and euery other person hauing the Queenes fée, or wages, within any her dominions, shal receiue the same oth before such person or persons, as it shal please the Quéene &c. vnder the great seale of England to assigne to take the same. And euery person that at any time shalbe preferred &c. to any Archbishoprieke, or Bishoprieke, or to any other ecclesiasticall benefice, promotion, dignitie, office, or ministery, or that shalbe by the Queene preferred to any temporal or lay office, ministerie, or seruice, within any her dominions, before he shal take vpon him to receiue, vse, exercise, supplie, or occupie any such Archbishoprieke, Bishoprieke, promotion, dignitie, office, &c. shal receiue the same othe before such persons as shal haue auctoritie to adrsit any such person to any such office &c. or els before such person &c. as by the Quéene &c. vnder the great seale, shalbe assigned, to minister the said othe. And euery person temporall, hauing liuery, or Ouster le maine, out of the handes of the Queene &c. before his liuerie, or Ouster le maine sued forth & allowed. And euery temporall person doing any homage to the Quéene &c. or that shalbe receiued into seruice with her &c. shal take the foresaid temporall othe before the Lord Chauncellor, or Lord Keper &c. or before such person &c. as by the Quéene &c. shalbe appointed to receiue the same. And euery person taking orders, & euery other person which shalbe preferred to any degrée of learning in any Vniuersitie within this Realme or dominions, before he shall receiue such orders, or be preferred to such degrée of learning, shal take the foresaid oth before his Ordinary, Comissarie, Chauncelor, or Vicechauncelor, or their sufficient deputie in the said vniuersitie. 1. El. 1. And all other persons which haue taken, or shal take orders, commonly called Ordines sacros, or Ecclesiastical orders, haue ben or shalbe preferred, or admitted to any degrée of learning in any vniuersitie within this Realme, or dominions to the same belonging. And al Scholmasters, publiques & priuat teachers of childzen, as al & al persons that haue taken, or shall take any degrée of learning, in, or at the common lawes of this Realme, aswel vtter Barristers, as Benchers, Readers, auncients in any house, or houses of Court, & all principal Treasurers, & such as be of the graund commanie in euery Inne of Chauncery. And all Atturneies, Prothonotaries, & Philizers, towardes the lawes of this Realme, and al manner of Shiriles, Escheators, & Fcodaries, and al other person & persons which haue taken, or shal take vpon him or them, or haue

These persons shall take the othe.

bene or shalbe admitted to any ministerie, or office, in, at, or belonging to the common law, or any other law, or lawes, or to, or for the execution of them, or any of them vsed or allowed, or at any time hereafter to be vsed or allowed within this Realme or any the dominions or countries belonging, or which hereafter shal happen to belong to the Crowne, or dignities of the same. And al other officers or ministers, of, or towards any Court whatsoeuer, & euery of them shal take and pronounce a corporall othe vpon the Euangelistes, before he or they shalbe admitted, allowed, or suffered, to take vpon him or them to vse or occupie any such vocation, office, degree, ministerie, rometh or seruice, as is aforesaid, & in the open court whereunto he doth or shal serue or belong. And if he doe not, nor shal not serue or belong to any open Court, then he shall take the othe aforesaid, in an open place before a conuenient assemblie to witnesse the same, and before such person or persons as haue authoritie by common vse, or otherwise, to admit or call any such person to any such vocation, rometh, or seruice, or els before such, as by the Queenes Commission vnder the great seale shalbe assigned to accept the same, according to the tenor, effect, and fourme of the same othe, Verbatim. And euery person which shalbe elected or appointed a Knight, Citizen, or Burges, or Baron for any of the fiue Portes, for any Parliament, shal before he shal enter into the parliament house, or haue any voice there, openly receiue and pronounce the said othe before the Lord Stewart, or his deputie or deputies appointed. And he which shall enter into the Parliament house without taking the said othe, shalbe deemed no Knight, Citizen, Burgesse, nor Baron for that Parliament, nor shall haue any voice, but shalbe to all intentes, as if he had neuer bene returned, nor elected Knight, Citizen, Burgesse, or Baron for the parliament, and shall suffer such paines and penalties, as if he had presumed to sit in the same, without election, returne, or authoritie. And euery Archbishop, and Bishop, haue power to tender the othe aforesaid, to euery or any spirituall person, within his proper Diocesse, aswell in iurisdictions &c. exempt as els where. 5. El. 1.

To whom a Bishop may tender the oth.

The punishmẽt for the refusall of the othe.

6 ¶ If any person appointed, or compellable by either of the actes made An. 1. El. and 5. El. to take the said othe, or any person to whom the said othe shalbe tendered by others hauing thereto authoritie by commission, directed vnto them by the Lord Chancellor &c. or Lord Keeper, vnder the great seale of England (which without further warrant hath authoritie to direct such Commission) shall at the time of the said othe so tendered, refuse to take or pronounce

pronounce the same in maner and forme aforesaid, then the party so refusing, and being thereof lawfully indicted, or presented, within one yeare next after any such refusall, and conuicted or attainted at any time after, according to the law, shall suffer, and incurre the paynes, penalties, & forfaitures prouided by the statut of Prouision and Premunire, made 16. R. 2. 5. El. 1.

7 ¶All and euery such person and persons, hauing authoritie to tender the othe aforesaid, shall within xl. dayes next after such refusall of the saide othe, if the Terme be then open, and if not, then at the first day of the full terme next following the said forty dayes, make true Certificat vnder his or their seale or seales, of the name or names, places and degrees of the person, or persons so refusinge the same othe in the kinges Bench, vpon paine that euery of the said persons hauing such authoritie making default of such Certificat, shall for euery such default forfayte C. pownde to the Quéene &c. And the Shirife of the County where the kinges Bench shalbe holden, shall or may impanell a Jury of the same Countie, to enquire of euery such refusall, which Jurie shall and may vpon euery such certificat, & other euidence, to them giuen, indict the offendor, in such sort, as they may doe of any offence committed against the Quéenes peace, within the same Countie &c. 5. El. 1. Certificat of the refusal into the kinges bench.

8 ¶If any of the persons appointed by this Act, to take the othe aforesaid, doe after the space of three monethes next after the first tender thereof, the second time refuse to take, and pronounce, or doe not take or pronounce the same, in fourme aforesaid to be tendered: Then euery such offendor, for the same second offence, shall forfait and suffer such like, and the same paines, forfaytures, Iudgements, and execution, as is vsed in cases of high Treason. But this Act &c. or any attainder to be had by force thereof, shall not extende to make any corruption of bloud, the disinheriting of any heire, forfaiture of dower, nor to the preiudice of the right or title of any person, other then of the offendor during his naturall life onely. And it shall and may be lawfull to euery person & persons to whom the right or interest of any landes, tenementes, or hereditamentes, after the death of any such offendor shoulde or might haue appertayned, if no such attaynder had bene to enter into the same without any Ouster le maine to be sued, in such sorte, as he or they might haue done, if this Acte had neuer bene made. 5. El. 1. The 2. refusal of the othe.

9 ¶This Act shal not extend to compell any temporal person, of, or aboue the degrée of a Baron of this realme, to take or pronoūce Barons.

the othe aforesaid, nor to incurre any penaltie limitted by this act for not taking or refusing the same. 5. El. 1.

Who shall take the othe vpon the second tender.

10 ¶ No person shalbe compelled by vertue of this act to take the othe aboue mencioned, at the second time of offering the same accoꝛding to the fourme appointed by this statut, except he hath bene, is, oꝛ shalbe an Ecclesiasticall person, that had, hath, oꝛ shal haue, in the time of one of the raignes of the Quéenes Father, Bꝛother, oꝛ Sister, oꝛ in the time of the raigne of the Quéene hir heires oꝛ succesꝛs, charge, cure, oꝛ office in the Church, oꝛ such perſō as had, hath, oꝛ hereafter shall haue any office oꝛ ministerie, in any ecclesiasticall Court of this Realme, vnder any Archbishop oꝛ Bishop, in any the times oꝛ raignes aforesaid, oꝛ such as shall wilfully refuse to obserue the oꝛders foꝛ diuine seruice, that be authoꝛised to be vsed & obserued in the Church of England, after that he shalbe publiquely by the Oꝛdinarie, oꝛ some of his officers in ecclesiasticall causes admonished to kepe and obserue the same, or such as shall openly, and aduisedly depꝛaue by woꝛdes, writing, oꝛ any other open fact, any of the rights & ceremonies at any time vsed, and authoꝛised to be vsed in the Church of England, oꝛ that shal say, oꝛ heare the pꝛiuate Masse, pꝛohibited by the lawes of this Realme. And all such persons shalbe compellable to take the othe vpon the second tender of the same, & incurre the penalties foꝛ not taking of the said othe, and none other. An. 5. El. 1.

The exposition of the othe.

11 ¶ The othe exꝛessed in the said Act made 1. El. shalbe taken & expoũded in such foꝛme, as is set foꝛth in an admonition annexed to the Quéenes Iniunctions, published An. 1. of her raigne, vꝛ. to confesse & acknowledge in her, her heires & succesꝛs, none other auctho̅itie then that, which was challenged and lately vsed by king H. 8. & king Ed. 6. 5. El. 1.

Compassing to depꝛiue the Q. destroy her, oꝛ to leuy warre.

12 ¶ If any person oꝛ persons do maliciously, aduisedly, and directly, compasse, oꝛ imagine to depꝛiue our Soueraigne Lady Quéene Elizabeth, oꝛ the heires of her body to be begotten, being kinges oꝛ Quéenes of this Realme, from the stile, honoꝛ, & kingly name of the imperial Crowne of this Realme, oꝛ from any other Realmes and dominions vnto her appertayning and belonging, oꝛ to destroy the Quéene that now is, oꝛ any the heires of her body, being kinges oꝛ Quéenes of this Realme, oꝛ to leuy warre within this Realme, oꝛ within any the Marches oꝛ dominions to the same belonging, against the Quéene, oꝛ any the heires of her body being kings oꝛ Quéens &c. oꝛ to depose ỹ Quéene, oꝛ any the heires &c. from the imperiall Crowne of the Realmes and dominions aforesaid, & the same compasses oꝛ imaginations, oꝛ any of them,

maliciously,

maliciously, aduisedly, and directly shal or doe vtter by open preaching, expresse words, or sayings, Or if any person or persons shal maliciously, aduisedly, and directly, say, publish, declare, maintaine or hold opinion, that the Quéene that nowe is, during her life is not, or ought not to be Quéene of this realme, or after her death, that the heirs of her body being Kings or Quéenes of this realme of right ought not to bee Kinges or Quéenes of thys Realme, or that any other person or persons other then the Quéene during her life ought to be king or Quéene of this Realme or any other ỹ realmes, or dominions aforesaid, or after her death, other then ỹ heirs of her body being kings, or Q. of this Realme, as longe as any of her said heires of her bodye begotten shalbe in life, of right ought to haue and inioy the imperial Crowne of this realme or any the realmes or dominions aforesaid: Then euery such offendor being thereof duly conuicted, or attainted &c. their abbettors, procurors, and counsailours, and al and euery their comforters knowing the said offences, or any of them to be done, and being therof duly conuicted or attainted, shall forf. to the Quéene &c. al his & their goods and cattels, and the whole profits of his and their lãds, tenements, and hereditaments, for terme of his or their liues, and also shal suffer during his or their liues, perpetual imprisonment. And euery ecclesiastical person, being conuicted, or attainted, of any of the offences aforesaid, shal for his office immediatly be iudged, and remaine to al intents depriued of al his spiritual benefices, and promotions. And euery patron, founder, and giuer may present an other presently to the same, as if the incumbent were deceased. But no person shal in any wise be impeached, for any of the offences abouesaid cõmitted only by open preaching or words, vnles the offendor be thereof indicted, within vi. moneths next after the same preaching or words. 1. El. 6.

Maintaining that the Q. ought not to enioy the crowne but some other

S. 17. a greates punishemẽt &c.

Ecclesiastical person offẽding

13 ¶And if any person being conuicted, or attainted of any the said offences in forme aforesaid committed, shal after his conuiction, or attaindour eftsons committe any of the said offences in forme aforesaid, then euery such secõd offence shalbe adiudged high treason, and the offendours therin, their abbettors, procurors, and counsailours, and al & euery their aidors & comforters, knowing any of ỹ said offences to be done, being thereof conuicted, or attainted, according to the lawes and statuts of this realme, shalbe iudged high Traitors &c. 1. El. 6.

The second offence.

14 ¶If any persõ, or persons, by any writing, printing, ouert deede, or act maliciously, aduisedly, and directly affirme that ỹ M. nowe is, ought not to haue and enioie ỹ stile, honor,

Affirming that the Quéene ought not to enioy the crowne.

and

and kingely name of this realme, or that any person or persons other then the M. that nowe is, ought to haue or enioy the same, or that the Quéene that nowe is during her life, is not, or ought not to be Quéene of this realme, or after her death that ỳ heirs of her body being kings or Quéenes of this Realme, of right ought not to haue & enioy the imperial crowne of this Realme, or ỳ any person or persons, other then ỳ M. that nowe is, during her life, after her death, other then ỳ heirs of her body begotten, being kings or Quéenes of this realme, as long as as any of her said heires of her body shalbe in life, of right ought to haue, and enioy ỳ imperial crowne of this realme: Then euery such offence shalbe adiudged high treason, & the offendor, or offendors therein, their abbettors procurors & counsailors, & al and euery their aidors and comforters knowinge the said offences, or any of them to be done, being thereof lawfully conuicted, or attainted, by the lawes of this Realme, shalbe adiudged high Traitors &c. & shal suffer death &c. & forfeit to ỳ M. al their lands &c. as in cases of high treason. Sauing to all persons, other then to the offendor, their heirs, and such as claime to their vse, al such rights, titles, leases, rents, reuersions &c. that any of them shal haue at the day of committing such treason, or at any time before &c. 1. El. 6.

The punishmẽt of the Counsailors.

15 ¶ The counsailors, procurors, comforters & abbettors, mencioned in this act, for his or their first offẽce shal suffer like punishment, penaltie and forfaiture, as is contained in this act, against the principal offendors for their first offence, and none other. And the counsailors &c. for their second offence, shal sustaine like punishment &c. as is contained in this act against the principal offendors for their second offence, and none other. 1. El. 6.

No man shalbe indicted or arrayned without sufficient witnesse.

16 ¶ No person shalbe indicted, or arraigned for any offence made treason or mysprision of treason by this act, vnlesse the same offence be proued by ỳ testimony & oth of ii. lawful and sufficient witnesses at the time of his indictmẽt, which witnesses also at the time of his arraignement, (if they be then liuing) shalbe brought forth in personne before the partye so arraigned, face to face, and there shall auowe, and openly declare al they can say against him, vnlesse he shal willingly, without violence cõfesse ỳ same. 1. El. 6.

Imagining destruction to the Queens person

17 ¶ If any person or persons whatsoeuer, during the natural life of our soueraigne Lady Quéene El. shal wỹn the realme, or wõout, compas, imagine, inuent, deuise, or intend the death or destructiõ, or any bodily harme, tending to death, destruction, maime or woundyng of ỳ roial person of the same our soueraigne Lady, or to depriue or depose her, of or from the stile, honor, or kingly name

of the imperial crowne of this realme, or of any other Realme or dominion to her maiestie belonging, or to leuy warre against her in this realme, or without, or to moue any forriners or straungers with force to inuade this Realme, or ye realme of Ireland, or any other her dominiõs being vnder her obeisance, & such cõpasses, imaginations, Inuentiõs, deuises, or intentions, or any of them, shal maliciously, aduisedly, & expresly declare by any printing, writing, ciphering, speech, words, or sayings, Or if any persõ or persõs, shal maliciously, aduisedly, & directly, publish, declare, hold opinion, affirme, or say, by any speeche, expresse words, or sayings, ye our said soueraigne Lady Q. Elizabeth during her life, is not, or ought not to be Queene of this Realme of England, & also of the realmes of France and Ireland, or that any other person or persons ought of right to be king or Queene of the said Realms of England & Ireland, or of any other her dominions, being vnder her obeisance, during her life, or shal by writing, printing, preaching, speech, expresse words or sayinges, maliciously, aduisedly, & directly publishe, sett forth, & affirme ye our soueraigne Lady Queene Eliz. is an heretike, Schismatike, Tirant, Infidel, or an vsurper of ye Crowne of the said Realmes, or any of them: Then every such said offence shalbe demed and take high treason, & as wel ye principal offendor, or offendors therein, as al & euery ye abbettors, councellors, & procurers, to the same offence, & al and euery aidors, & comforters of the same offendor, or offendors, knowing the same offence to be cõmitted in any place wthin this Realme or without, being thereof lawfully & duly indicted conuicted, & attainted, according to the vsual order of the comon lawes, or according to the act made. 35. H. 8. 2 concerning trial of treasons cõmitted out of the K. dominiõs, shal be iudged &c. Traitors to the Queene and the realme, & shal suffer death and also forfait vnto the Queene &c. as in cases of high treason, Anno. 13. El. 1.

Affirming that the Q. ought not to inioy the Crowne but some other.

Affirming that the Q. is an heretike, Tirant, vsurper &c.

S. treason 10. Claiming right to the crowne or vsurping the same.

18 ¶ Al and euery person and persons, of what degrée, condition, place, natiõ, or estate soeuer they be, which shal at any time in the life of our soueraigne Lady Queene Elizabeth in any wise imagine, pretend, vtter, declare, affirme, or publish them selues or any of them, or any other then our soueraigne Lady Elyzabeth the Queenes Maiestie that nowe is, to haue right or title to haue or enioy the Crowne of England, during, or in the life of our sayed soueraigne Lady, or shal vsurpe ye same crowne, or ye roial stile, tytle, or dignitie of the Crowne or Realme of England, during or in the lyfe of our said soueraigne Lady, or shal hold & affirme, that the said soueraigne Ladie hath not right to hold and enioy the said

Crowne

Crowne and realme, ſtile, title, or dignitie, or ſhal not after any de-
maund, on our ſaid ſoueraigne Ladies part to be made, effectually
acknowledge our ſaid ſoueraigne Lady to be in right, trewe, and
lawfull M. of this Realme, They end euery of thē ſo offending
ſhalbe vtterly diſabled during their natural liues onely to haue or
enioy the Crowne or Realme of England, or the ſtile, tytle, or
dignitie therof, at any time in ſucceſſion, inheritance, or otherwiſe
after the deceaſe of our ſaied ſoueraigne Ladye, as if ſuch perſons
were naturally dead, any lawe or matter &c. notwithſtanding.
13. El. 1.

Affirming the right in ſucceſſion of the Crowns in ſōe other then the Queene.

19 ¶If any perſon ſhal during the Quēenes life, in any wiſe
hold, affirme, or mainteine any right, title intereſt or poſſibilitie in
ſucceſſion or inheritance, in, or to the Crowne of England, and
our ſaid ſoueraigne Lady the Quēene, to be rightfully in, or law-
fully due or belonging vnto any ſuch claimor, pretendor, vſurper,
vtterer, declarer, affirmer, publiſher, or not acknowledger, ſo that
our ſaid ſoueraigne Ladie the Quēene, ſhal by proclamation be
publiſhed through ỳ Realme, or els in the more parte of thoſe parts
of this realme, as wel on the Southſide, as ỳ Northside of Trent,
and alſo in the dominion of Wales, in which ſhires no warre or
rebellion then ſhalbe, ſet forth, notifie, and declare ſuch claime,
pretence, vttering, declaration affirming, publiſhing, vſurping,
or not acknowledging, thē euery perſō which after ſuch proclama-
tion ſhal during the Quēenes life, maintaine, hold, or affirme any
right in ſucceſſion, inheritance, or poſſibilitie, in, or to the Crowne
or Realme of England, or the right thereof to be in, or to any other
claimer, pretender, vtterer, declarer, affirmer, vſurper, publiſher,
or not acknowledger, ſhalbe a high traytor, and ſuffer and loſe
ſuch like as in caſes of high treaſon is accuſtomed. 13. El. 1.

Maintaining that the lawes do not limit or bind the right of the Crowne.

20 ¶If any perſon ſhal in any wiſe hold, and affirme, or main-
taine that the common lawes of this Realme, not altered by par-
liament ought not to direct the right of the Crowne of England,
or that our ſoueraigne Ladie Quēene Elizabeth with, and by the
aucthoritie of the parliament of England, is not able to make
lawes, and ſtatuts of ſufficient force, to limit and bind the crowne
of this Realme, and the diſcent, limitation, inheritance & gouern-
ment thereof, or that this ſtatut, or any part thereof, or any other
ſtatut to be made by the aucthoritie of the parliament of England
with the Quēenes royal aſſent for the limitting of the Crowne,
or any ſtatut for recogniſing the right of the ſaid Crowne and Re-
alme, to be lawfully in the perſon of the Quēene, is not, and
or ſhal not, or ought not to be for euer of ſufficient force to bind

restraine, and gouerne al persons, their rights and titles, that in any wise may or myght claime any interest or possibilitie in or to the Crowne of England, in possession, remainder, inheritãce succession, or otherwise howe so euer, and al other persons what so euer euery such persõ so holding, affirming, or maintaining, during the life of the Quéene, shalbe iudged a high traitor, and suffer and forfait as in cases of high treason are accustomed, and euery person so holding, affirming, or maintaining, after the decesse of our sayed soueraigne Ladye shal forfait al his goods and cattels.

13. El. I.

21 ¶ Whosoeuer shal during the life of our said soueraigne Ladye, by any booke or worke printed, or written, directly & expressly declare, and affirme, at any time before the same be by act of parliament established, that any one particuler person, whosoeuer it be, is or ought to bée the right heire, and successor to the Quéenes Maiestie that nowe is, except the same be the naturall issue of her body, Or shal wilfully sett vp in open place, publishe, or spread any bookes or scrouls to that effect, or shal print, bind, or put to sale, or sell, or cause to be printed, bound, or put to sale, or vttered any such booke or writing wittingly, he or they, their abbettors, and counsellors and euery of them shal for the first offence, suffer imprisonment one whole yere, and forfait halfe his goods, to the Q. & her successors by A. I. &c. wherin no E. P. &c. & if any shal offsones offend therin, thẽ euery of them, their abbettors and coũcellors shal incurre the paines, and forfaitures, which in ỹ statuts of Prouision or Premunire, are appointed and limitted. Sauing to euery person, other then the offendors, and their heires &c. al their right title &c. 13. El. I.

Declaring by bookes who ought to be the Queenes heire or successors.

22 ¶ No person shalbe arraigned for any of the offences mentioned in this act, to be committed within any the Quéenes dominions, vnlesse the offendor be thereof indicted within vi. moneths next after the same offence committed. And no person shalbe arraigned for any the offences, mencioned in this act to be committed out of any the Quéenes dominions, vnlesse the offendor bee thereof indicted within one yere next after the offence cõmitted. 5. El. I.

Within what time the offendor shalbe indicted.

23 ¶ No person shalbe arraigned for any ỹ offences mentioned in this act, vnlesse the same offence be proued by the testimonie and oth of two sufficient witnesses, which shal at the time of the arraignement of such person bee brought forth in person before the partye so arraigned, face to face, and there shall auowe, and openly declare, al they can say, against the partie arraigned, vnlesse

None shalbe arraigned vpon any of those offences, except the same be proued by ii witnesses.

vnlesse hee shall willingly without vyolence, confesse the same 13. El. 1.

The punishmẽt of the aydors & comforters.

24 ¶The aydors and comforters of such of the offenders aforesaid, as shal maliciously &c. affirme that the Quẽne is an heretique, scismatike, tirant, infidel or vsurper &c. shal for his said first offence of aiding and comforting the said last recited offenders, knowing the same offence to be committed, incurre only the danger and penaltie of Premunire, mentioned in the statut of Premunire, made 16. R. 2. And such aidors, and comforters of the aidors aforesaid last recited, knowing the same offences to be committed, which after their first conuictiõ and attaindor therof shal eftsones offend, shal for their second offence be adiudged high traitors. 13. El. 1.

Charitable relefe of the offendor.

25 ¶But the giuinge of charitable almes in money, meate, drinke, apparel or bedding for the sustentation of ỹ body or health of any person, that shal commit any the offences made treason, or Premunire, by thys act, during the time that the same offendour shalbee in prysion, shall not bee taken to bee any offence. 13. Eliz. 1.

The crowne of England entailed.

26 ¶By the statut made. 35. H. 8. 1. the Crowne of England was entailed after the death of king H. 8. and king Ed. 6. dying without heires of their bodies to ỹ Ladie Marie one of the daughters of the said King H. 8. and to the heires of her bodie lawfully begotten. And for default of such issue, to our Soueraigne Ladye Quẽne Elizabeth, by the name of the Ladie Elizabeth the layed K. H. 8. second daughter, and to the heires of her body lawfully begotten, and for lacke of lawful heires of the said Lady Marie, and Lady Elizabeth, to such person or persons, in remainder or reuersion, as it should please the said king Henry the eight according to such estate, and after such maner, and forme, order, fashion, and condicion, as should be expressed, declared, named and limitted in the said king Henry the eight his letters patents, or by his last will in writing signed with his hand. And by the statut made 1. El. 3. the estate, right, title, and succession in the imperial Crowne of England is recognised, knowledged, & confessed to be in, & to our Soueraigne Ladie Quẽne Elizabeth, and the heires of her body to be begottẽ. And there it is further ordained that the said recognition, declaration, and confession, as also the limitation and declaration of the succession of the imperial Crowne mencioned and contained in the foresaid act of 35. H. 8. should stand remaine, and bee the lawe of this Realme for euer, and by the said statut of 1. Eliz. 3. al sentences, Iudgements, and decrees made, set forth, and published

vther, and euery braunch, article, or matter contained and expres-
sed in any act of parliament, repugnant or contrarie to the said re-
cognition, or any part thereof, or to ỹ said limitation of ỹ succes-
sion of the crowne, established by ỹ said stat. of 35. H. 8. were made
frustrate and void.

1 What prerogatiues & preheminences the lawes & statuts do
giue to the Q. S. Prerogatiue.

2 For al bands to be made to the Q. & howe she shalbe answe-
red al her debts, duities, and accomptes. S. Accomptantes to the
Queene.

3 That the commissioners of Sevvers decree, shal bind the Q.
landes. S. Sevvers. 8.

4 For the force of a fine leuied by tenant in taile, of lands where-
of the reuersion is in the Q. S. Fines. 17.

5 For the force of a recouery of lands entailed, vvhereof the re-
uersion or remainder is in the Queene. S. Recoueries. 2.

6 That though the plaintife be nõsuit, or a verdict passe against
him in any action bil or plaint sued to the Q. vse the def. shal not
recouer costs, S. damages. 8.

7 That Kings children borne beyond the Sea, are inheritable in
England. S. Abilitie, 1.

¶ Quòd permittat.

When as the person of any Church may recouer common of pas-
ture by writ of Nouel disseisyn, so shal his successour recouer a-
gainst the disseisor or his heire by a writ of Quòd permittat. And
as there is a writ grantable to enquire whither a tenement be the
free almes of such a Church, or the lay fee of such a man, so the like Iuris vtrum.
writte may be awarded to enquire whither it be the free almes of
such a Church, or of an other church, in case where the free almes
of one church is transferred into the possession of an other church
W. 2. 13. Ed. 1. 24.

¶ Rape.

If any man doe rauish a maried wife, a maide, or other woman
where she doth not assent before, nor after, it is felonie. And in
deede, if a man do rauishe a married wife, maid or other womã
with force, though she doe consent after, it is felonie. West. 2. 13.
Ed. 1. 34.

2 ¶ If any person shal vnlawfully, and carnally knowe, and Abusing a wo-
abuse any woman childe, vnder the age of x. yeares, it is felonye, man child vn-
der x. yeares of
age.

and

and the offendor thereof being duely conuicted, shall suffer as a felon, without allowance of Clergie. 18. El. 6.

The forf. where the woman ra-uished doth con-sent.

3 ¶If any noble mens daughters, Ladies, or other women be rauished, & after the same Rape committed, doe consent to the rauishors, as well the rauishors, as they that be rauished, & euery of them, shalbe disabled, and be disabled Ipso facto, to haue or challenge al maner of inheritance, dower, or ioynt feoffement, after the death of their husbands & auncestors. And immediatly in this case the next of the bloud of those rauishors, & of those which be rauished (to whom the inheritãce, dower, or ioynt feoffement ought to discend, reuert, remayne, or come after the death of the rauishor, or her that is rauished) haue title incontinently after the Rape, to enter vpon the rauishor, or her which is rauished, their assignes, & land tenantes in that inheritance, dower, or ioint feoffement, and the same to holde by estate of inheritance. And the husbandes of such women (if they haue husbandes) or if they haue no husbandes lyuinge, then their fathers or other their next kinsmen in bloode, shall haue the suite to prosecute, and may pursue against the same offendours and rauishors, in this behalfe, and to conuict them of Felonye, though the same woman after the Rape doe consent to the Rauishours. And in thys case the defendaunt shall not wage battell, but the truth of the matter shalbe tryed by the Countrey. Sauyng alwayes to the Queens and other Lordes of the Realme, all their Escheates of such Rauishors if they be conuict. 6. R. 2. 6.

1 Howe the defendant in appele of rape, shal be vsed. S. Coronor. 7.

¶Receipt.

Where the wife shalbe receiued vpon the husbands default.

IF in an Accion brought against the husband and the wife, of lands which be the right of the wife, the husband wil absent himselfe, and wil not defend his wiues right, or wil against his wiues consent, yelde the land, if the wife wil come before Iudgement, and be ready to answer to the demaundant, and to defend her right, she shalbe therunto admitted. W. 2. 13. Ed. 1. 3.

Where he in the reuersion shalbe receiued.

2 ¶If any man do purchase a writ against tenant in dower, tenãt by curtesie of England, or any other tenant for terme of life or tenant in taile, of lands where the reuersion is in an other, and he doe make default, or will yelde the lande, the heires, or they that haue the reuersion shalbe admitted to answere if they come before Iudgement. And if by default or yealding Iudgement shal be giuen, then the heires, or they which haue the reuersion shal recouer after the death of such tenants by a writ of Entre Ad com-

munem

munem legem. Weſt. 2. 13. Ed. 1. 3. But if any mã being not partie to the ſuit, will come before iudgement in the foreſaid caſe, and deſire that he may be admitted, he ſhal finde ſuch ſufficient ſuertie before his admiſſion as the court ſhal thinke méete, to ſatiſfie ỹ demaundant the value of the iſſues of the land ſo to be recouered, frõ the day that he is receiued to make anſwere, vntill the day that ſhall iudgement ſhalbe giuen vpon ỹ demaundants petition: And if the demaundant doe recouer the thinge in demaund, the defendant ſhalbe greeuouſly amerced, if he haue whereof, and if he haue not whereof, he ſhalbe committed to the gaole, and there remaine during the Quéenes pleaſure. And if he can proue his right to bee ſuch as he affirmed it at the time of his receipt, he ſhall go quite. 20. Ed. 1. De defenſione Iuris. The receipt of one not party to the ſuit.

3 ¶ If any tenant for terme of life, tenant in dower, tenãt by the curteſie, or tenant in taile after poſſibilitie of iſſue extinct be impleaded, and he in the reuerſion doth come into the court & prayeth to be receiued to defend his right, at the day that the tenant doth pleade to the action, or before, he ſhal be receiued to plead in chiefe to the action, without taking delay by voucher, ayde prayer, nonage, or other delay whatſoeuer, ſo that after ſuch receipt, he ſhall haue no delay by Protection, Eſſoyne of the Quéenes ſeruice, or common Eſſoyne, but the ſuit ſhalbe haſtened as much as it may by the lawe. And dayes of grace ſhalbe geuen by diſcretion of the Iudges, betwixt the demaundant and him which is ſo receiued, and not the common dayes geuen in plées of lande, (except the demaundant will thereunto aſſent) to the intent the demaundants ſhall not be too much delayed which muſt pleade with two aduerſaries. And he in the reuerſion which prayeth to be receiued ſhall find ſuerties for the iſſues of the land, aſwel where ỹ receipt is cõterpleaded as where it is graunted Vt ſupra &c. 13. R. 2. 16. Receipt of him in the reuerſion. Dayes of grace.

¶ Recordes.

THe Quéenes Iuſtices before whom any miſpriſion, or default ſhalbe found in any recordes, or proces, which depend before them by way of Error, Adiornemẽt, or otherwiſe, or in returnes made by ſheriffes, coroners, bayliffes of franchiſe, or any other by miſpriſion of the clerkes of any the ſaide courtes, or of the ſhiriffs, vnderſheriffes, coroners, or any other officers or clerkes, in wryting of one letter or one ſillable too much or too little, haue power to amende ſuch default after their diſcretion, and by examination where they ſhall thinke good, as well after Iudgement, as before Iudgement, and as well after iudgement geuen vppon a verdict Iuſtices may amend records.

passed, as vpon a matter in lawe pleaded, and the same proces shal not be auoyded or discontinued therefore. But these statutes extend not to recordes and proces in Wales or where proces of outlawrie lyeth. 14. Ed. 3. 6. 9. H. 5. 5. 4. H. 6. 3. 8. H. 6. 15.

Records raced or interlined.

2 ¶ For Error assigned in any recorde, proces, warrant of atturney, originall writte, or iudicial, pannel, or returne, in any place of them raced or interlined, or in any addition, subtraction, or diminution of wordes, letters, titles, or parcel of writtes, found in any such recorde, proces &c. which raisure, enterlining, addition &c. by the discretion of the Iudges of the Quenes Courtes and places, wherein the saide recorde and proces by writte of Error or otherwise be certified, do appeare suspicious, no iudgement or record shalbe reuersed. And the Quenes Iustices of the courtes and places, in which any recorde, proces, suit, plea, warrant of atturney, writte, panell, or returne, for the time being shal be, haue power to examine them, by them selues, and their Clerkes, and to amend (in affirmance of the iudgement of such recordes and proces) al that which in their discretion seemeth to be misprision of the Clerkes, in such recordes, proces &c. (except appeales, Indictments of treason and felony, and the outlawries thereupon, the proper names, surnames, and additions, omitted in originall writs and writtes of Exigent, according to the statute of 1. H. 5. 5. and in other writtes containing proclamation) so that by such misprision of the Clerke, no iudgement shalbe reuersed nor annulled. And if any recorde, proces &c. be certified defective, otherwise then according to that which remaineth in the treasurie, courtes, or places from whence they be certified, the parties in affirmance of ỹ iudgements, shall haue aduauntage to alledge variaunce betweene the writing and the certificat, and that being found and certified, the variance shalbe reformed by the saide Iustices, according to the first writing. 8. H. 6. 12.

1 That imbesilling of a Record &c. is felony. S. Felony. 18.

2 That no Cerciorare shalbe graunted to remoue a recorde, except it be signed vvith a Iustices hand of the same court. S. Remouer &c. 1.

¶ Recoueries and falsifying of Recoueries.

The recouerors may distraine the tenants of land recouered.

IF any of the Quenes subiects do suffer any recoueries against them by the course of the common lawe, of any maners, lordships, landes, or tenementes, for the performance of their willes, or for the suertie of their wiues Joynters, or for ỹ iointure of their sonnes and heires apparent & their wiues, or for any other person or per-

of persons, according to their couenants and agreementes, the recouerors in all such recoueries, their heires and all assignes, maye distraine the fermers, freeholders, and tenauntes, which holde of the same maners, by rentes, seruices and customes, for the sayde rentes, seruices, and customes, being due and vnpayde, and make auowrie, or iustifie the same, as those persons against whom the sayd recouerie is, should haue done, if the sayde recouerie had not bene had, and also haue like remedie for the recouering of the sayde rent, seruices, & custome, by auowrie. And also shal haue Quare impedit, for an aduowson appendāt to any of the sayd manours, if the same aduowson fall voyde, and any disturbance be made, as those persons against whom the saide recoueries were had, might or should haue had by the course of the Common lawe before the sayde recouerie, if any such rentes, seruices, or customes had ben denyed them, or any such disturbance had ben had in their times. 7. H. 8. 4.

Quare impedit.

2 ¶ No fayned recouerie had by assent of parties against any tenant in taile, of any lands, tenements, or hereditaments, whereof the reuersion or remainder at ỳ time of such recouerie had, shall be in ỳ Queene, shal binde or conclude the heires in tayle, whether any common voucher be had in any such fayned recouerie or not. But after the death of euery such tenant in taile against whom anie such recouerie shalbe had, the heires in taile may enter, haue & enioy the landes, tenementes and hereditamentes so recouered, according to the forme of the gift of intaile, the sayde recouerie or any other thing to be had, done or suffered, by or against any such tenant in taile to the contrarie notwithstādinge, tricesimo quarto Henrici octaui 20. S. the statute and the preamble, et Quere whether it is entended of all landes whereof the reuersion or remainder is by any title in the Queene, or onely of those landes which king Henry the eyght, or any of his progenitors did geue to anie person in tayle.

Recouery of lands intailed, whereof the reuersiō is in the Queene.

3 ¶ The heires of euery such tenant in tayle, againste whom any such fayned recouerie shall be had, shal take no aduauntage for any recompence in value against the voucher, nor his heires. 34. Henrici octaui. 20.

The heire in taile shal haue no recompence in value.

4 ¶ But this act shall not be preiudicial to the lessee of anie such tenant in taile made by writing indented, of any landes, tenementes, or hereditamentes, for terme of xxj. yeares, three liues, or vnder, whereupon the accustomable rent or more, is or shalbee reserued yearely duringe the sayde terme, but the same lessee shall and may enioy his terme therein againste the heire of euerie suche

Leases by tenāt in taile, of lands whereof the reuersion is in the Queene

tenant in tale, according to the tenure and effect of the statute made. 32.H.8.34.H.8.20.S.Leases.1.2.

Recoueries against partyculer tenants.

5 ¶All recoueries had or prosecuted by agreement of the parties, or by couin, against any tenants by the curtesie of England, tenants in taile after possibilitie of issue extinct, or otherwise owe lie for terme of life, or liues, or of estates determinable vpon life or liues, of any landes, tenements, or hereditaments, whereof the same particular tenant, is, or shalbe seised of any such particular estate as is afforesaid, or against any other, with voucher ouer of any such particular tenant, or of any hauing, or that had right or title to any such particular estate or tenãcie, shal as agaynst such person or persons to whom any reuersion or remainder thereof by force of any conueyãce or deuice before that time had or made, shal, ought, or lawfully may appertaine, and agaynst their heires & succe ssors be vtterly voide. 14.El.8.

Recoueries vp on good titles.

6 ¶But this act shal not extend to any person or persons that shall by good title recouer any lands, tenements or hereditamẽts, without fraude or couin, by reason of any former right or title, but all such recoueries shal stand and be in like force as they were before the making of this act. 14.El.8.

Recouery by the assẽt of him in the reuersion or remainder.

7 ¶All and euerie such recouerie had of any lands, tenemẽts, or hereditamentes, by the assent and agreement of any person or persons, to whom anie reuersion or remainder thereof, then shall or ought to appertaine, (so that the same assent do appeare of Record in any of the Quéenes courts &c. shal stand in like strength, and of like effect, agaynst such person that shal so assent, his heirs and successours, as they were before the making of this act, decimo quarto. El.8.

Tenãt for yeres may falsifie a recouery had against him in the reuersion.

8 ¶If any persones do make leases of their landes, tenementes, or other hereditamentes by indentures, or without writings, to other persones for terme of yeares, if after the same lessors, their heires or assignes do cause, or suffer recoueries to be had against them in the Quéenes, or any other Lordes court, vpon faigned, and vntrue title, by craft, and couin, to put the sayde termors from their termes: All such termors shal and may falsifie for his terme onely such recouerie, in such wise and forme, as a tenaunt of a freeholde shall and maye do by the course of the common lawe, where such tenant of freeholde was neyther priuie, nor partie to the same recouerie, And the same termors, their executors and assignes, notwithstãding such recoueries, shal inioy their said termes, according to their sayde leases, agaynst all such recouerors their heires and assignes. And the said recouerors their heires

heires and aſſignes, after ſuch recouerie ſo had, ſhall haue like remedie agaynſt the ſayd termours, their executors and aſſignes by writte, or action of debt, for the rentes and ſeruices reſerued vpon the ſame leaſes being due after the ſame recoueries: And alſo the actiõs againſt them for waſte done after the ſame recoueries ſo had, in like maner and fourme, as the ſayd leſſors might haue had, if the ſame recoueries had neuer ben had. 21. H. 8. 15. Glouſter. 6. Ed. 1. 11.

9 ¶ No ſtatute of the Staple, ſtatute Merchant, nor execution by Elegit, ſhalbe auoyded by meanes of any ſuch feyned recouery, but al perſons hauing any lands, tenemẽts or other hereditamẽts in execution, or being intituled to haue execution of any lands, or tenements by any ſuch meanes, ſhal haue like remedie to auoyde and ſatisfie the ſame recouerie, as before is prouided for the leſſee for terme of yeares. 21. H. 8. 15.

No ſtatut or recognisance ſhalbe auoided by any feigned recouerie.

1 VVhat fines for alienations vpon vvrits of entrie, ſued vpõ common recoueries ſhalbe paide. S. VVilles. 8.

2 VVhere a vvoman ſhal forf. her eſtate for ſuffering a feigned recouerie againſt her, of lands vvhich ſhe holdeth in dovver for life, in taile &c. S. VVomen. 1. 2. 3. 4.

3 For recoueries and deedes inrolled in corporate Tovvnes. S. VVomen. 6.

¶ Rediſſeiſyn.

IF any man be diſſeiſed of his freeholde, and doth recouer his ſeiſyn before the Juſtices in Eire, by Aſſiſe of nouel diſſeiſin, or by confeſſion of him which did the diſſeiſin, and hath ſeiſin deliuered vnto him by the Sherife, if the ſame diſſeiſors after the departure of the Juſtices, or in the meane time, do diſſeiſe the ſame plaintife of the ſame freehold, and thereof be conuict, they ſhalbe taken and kept in ỹ Quenes priſon. The ſame remedy ſhal they haue which do recouer their ſeiſin by Aſſiſe of Mortdaunceſter. And the ſame remedie is of all landes and tenements recouered in the Quenes Court by Juries, if they be after diſſeiſed by the firſt deforciours againſt whom in any maner they haue recouered by Juries. Merton. 20. H. 3. 3. And they ſhal haue remedie by writ of rediſſeiſyn which haue recouered by default, reddition or in any other maner, without Recognitiõ of Aſſiſes, or Juries. W. 2. 13. Ed. 1. 26. Tenant by Elegit ſhal haue a writte of Rediſſeiſyn. Weſtm. 2. 13. Edwardi. 1. 18. and ſo ſhall tenant by ſtatute Merchant. 13. Ed. 1. De Mercatoribus.

Who ſhall maintaine a writ of rediſſeiſin.

2 ¶ When the plaintife commeth into ỹ Court, he ſhal haue the

The cauſe & effect of the writ of rediſſeiſyn.

the Quéenes writ, directed to the ſherife, wherin ſhalbe conteyned his declaration of diſſeiſyn done vpon diſſeiſin, And the ſherife ſhal be commaunded that he taking with him the Coroners, and other lawfull knights, ſhall go in his owne perſon to the tenement or paſture, whereof the plaint is made, and that he ſhal make before them diligent inquirie by the firſt Iurors and other neighbours and lawful men of that vicenage thereof, and if they finde him diſſeiſed againe, then they ſhall do according as is aforeſaide. And if it be otherwiſe found, the plaintife ſhalbe amerced, and the other ſhall goe quite, but the Sherife ſhall not execute anie ſuche plaint without the Quenes commaundement. Merton viceſimo Henrici tertij. 3.

The punishmēt for rediſſeiſin.

3 ¶ In writtes of Rediſſeiſin double damages ſhalbe awarded, and they which be taken for rediſſeiſin be not repleuiſable by a common writte, nor ſhalbe deliuered without the Quénes ſpecial commaundement, and that vppon a fine to be made to the Quéene for the offence, and if the Sherife do deliuer them in anie other ſort, he ſhalbe greeuouſly amerced, and they for their offence greatly punished. Marlebridge. 52. Henrici tertij 8. Weſt. 2. 13. Ed. 1. 26.

1 That vvrittes of Rediſſeiſin ſhalbe inrouled and ſent yerely vnto the Eſchequer. S. Admeaſurement. 2.

¶Reliefe.

The reliefe of an Earle, Baron, & knights heire.

IF any Earle, Baron or other of the Quéenes tenants, which holdeth of her grace in Capite by knights ſeruice do die, and his heire of full age, and oweth vnto the Quéene reliefe, he ſhall haue his inheritance for the auncient reliefe, That is to ſay, the heire or heires of an Earle of a whole Earledome, for C. li. The heire or heires of a Baron, for a whole Barone, C. markes, The heire or heires of a knight, of a whole knights fée, C. s. at the moſt, & he that hath leſſe ſhal giue leſſe, according to the auncient cuſtome of fées. Mag. Char. 9. H. 3. 2.

1 That an heire which hath bene in vvarde, ſhall haue his inheritance without paying reliefe, S. VVardes. 3.

2 That the heire of full age at the death of his auncеſter, ſhal onely pay reliefe to his Lord. S. VVardes. 9.

¶Rentes.

A remedie for the executors for rēts due to their teſtator.

THe executors and adminiſtrators of euerie tenant in fée ſimple, tenant in fée taile, and tenant for terme of life, of rent ſeruice, rent charge, and fée fermes, vnto whom any ſuch rent or fée

ferme

ferme is or shall be due, and not payde at the time of hys death, shall and may haue an A. of debt for all such arrerages against the tenant or tenants that ought to haue payd the same rent, &c. in the life of their testator, or against the executors and administrators of the sayde tenauntes. And also furthermore it shalbe lawfull to euerie such executor and administrator &c. to distraine for the arrerages of all such rentes, and fee fermes, vpon the landes &c. which were charged with the payment of such rentes, and fee fermes, & chargeable to the distresse of the sayde testator, so long as the said landes &c. continue in the seisin or possession of the saide tenant in demeine who ought immediatly to haue payde the sayde rent, or fee ferme, or in the seisin or possession of any other claymynge the sayde landes &c. onely by and from the same tenant, by purchase, gift, or discent, in like maner and fourme as their sayde testator might or ought to haue done in his life time, and the sayde executors & administrators shall for the same distresse lawfully make anowzie vpon their matter aforesayde, But this act shall not extend to any such Maner, Lordship, or Dominion in Wales, or in the marches of the same, whereof the inhabitants haue vsed time out of the minde of man to pay vnto euerie Lorde, & owner thereof at his first entry into the same any summe of money for the redemption, and discharge of all dueties, forfaitures, and penaltics, wherewith the said inhabitantes were chargeable to any of their saide Lordes, auncestors, or predecessors, before their said entrie. Anno. 32. H. 8. 37.

Redemption money i wales

2 ¶If any man hauing in the right of his wife any estate in fee simple, fee taile, or for terme of life, of, or in any rents, or fee fermes, and the same be due and vnpayd in the said wiues life, the the said husband after the death of his said wife, his executors, and administrators, shall haue an A. of debt for the said arrerages, against the tenant of the sayde demeine that ought to haue paid the same, his executors, or administrators, And also the sayd husband after the death of his saide wife, may distaine for the saide arrerages in like maner as he might haue done, if his saide wife had ben then liuing, and make anowzie vpon his matter, as is aforesaide. 32. H. 8. 37.

The husbands remedy for rent due in the life of his wife.

3 ¶If any person which shall haue any rentes, or fee fermes for terme of life, or liues, of any other person or persons, & the said rent or fee ferme shalbe due and vnpaide in the life of such person, or persons, for whose life or liues the estate of the same did depend or continue, and after the said person or persons do die, then he vnto whom the sayde rent or fee ferme was due, hys executours,

The remedy for a rēt the estate whereof depended vpon anothers life being dead.

and administrators, shall and may haue an action of debt agaynst the tenant in demeane that ought to haue payde the same when it was first due, his executors & administrators, And also distrayne for the same arrerages vppon such landes and tenementes out of the which the sayed rentes or fee farmes were issuing, in such like maner, as he ought or might haue done, if such person or persones by whose death the aforesaide estate in the sayde rentes and fee fermes was determined had béene in full life and not dead, and the auowrie for the taking of ỹ same distresse shalbe made in maner and fourme aforesayde. Tricesimo secundo Henrici octaui tricesimo septimo.

1 That Assise of rent issuing forth of tenementes in seuerall Counties, shalbe holden in the borders of the same Countie. S. Assise. 17.

2 Howv meane Lords shalbe aunswvered their chiefe rentes due to them during the minoritie of the Queenes vvarde. S. VVardes. 17.

¶Remouing of persons, or Records.

A writte to remoue prisoners or records.

NO writs of Habeas corpus, or Cerciorari, shalbe graunted to remoue any prisoner out of any Gaole, or to remoue any recognisance, except the same writs be signed with the proper hands of the chiefe Justice, or in his ablence of one of the Justices of the Court, out of the which ỹ same writs shalbe awarded, vpon paine that he that writeth any such writs, not being signed as is aforesaid, to forf. to the Quéene for euery such writte fiue pound. 1. & 2. P. & M. 13.

Remaũding of prisoners out of the Kings bench into the countrie to be tried.

2 ¶The Justices of the Kinges Bench (for the time being) haue aucthority by their discretions, to remaund & send downe aswel the bodies of al felõs & murderers remoued or brought before the Quéene in her Bench, as their indictmẽts, into the Counties whereas the same murders or felonies haue bene committed, and to commaũd al Justices of Gaole deliuerie, Justices of peace, and all other Justices and commissioners, & euerie of them, to proceed and determine vpon al the foresaid bodies and indictments so remoued, after the course of the cõmon lawe, in such maner, as the same Justices of Gaole deliuerie, Justices of peace, and other cõmissioners or any of them mought or should haue done, if the sayd prisoners or indictments had neuer beene brought into the sayde Kinges Bench. An. 6. H. 8. 6.

1 VVhere the bodie of one in execution being remoued by Corpus cum causa, shalbe remaunded. S. Corpus &c. 1.

2 For the remouing of a repleg. out of the Countie by Recordare, S. Repleuin. 2.

¶Repleuin.

IF any mans cattell be taken, and wrongfully withholden, the sherife after complaint to him made may deliuer them wythout any lett or contradiction of him that toke the cattell, if they were taken out of liberties, and if the cattell were taken wythin any liberties, and the Bailiffes of the liberties wil not deliuer thē, then ẏ sherife for default of thole Bailifes shal cause thē to be deliuered. Marlb. 52. H. 3. 21. Who shal repleuie a distresse.

2 ¶ If any Lordes doe dystraine their tenants for any seruyces or customes being due vnto them, and the tenants doe repleuie the distresse by writte, or without writte, and the Lords (at ẏ complaint of the tenants) do by attachement come to the countie, or other Court hauing power to holde plea De vetito namio, & dow anowe their distresse reasonable and iust, if the tenants doe disawowe to holde, or doe claime to holde nothing of him which toke ẏ distresse, if such Lordes in the Countie or other Courtes cannot obtaine Justice of their tenāts but shalbe amerced, & their tenāts discharged, for ẏ they cānot be punished for ẏ same disauowing by record of ẏ coūtie, or other Courts, having no recorde as soone as they shal be attached at their tenants suit, a writ shalbe graunted vnto thē to remoue ẏ suit before ẏ Justices, before whō (and not elle where) Justice shalbe ministred to such Lordes, and the cause shalbe declared in the writte (because such a man hath distrayned in his fée for seruices and customes due vnto him) yet this statute is no derogation to the lawe commonly vsed, which doth not suffer any plea to bee remoued at the suite of the defendaunt, For though at the fyrst shewe the tenaunt seemeth to be plaintife, and the Lorde defendaunt, yet hauing respect to that the Lorde doth distrayne and sue for hys seruyces and customes behinde, he shall rather appeare plaintyfe, then defendaunt. Westminster. 2. An. 13. Ed. 1. 2. Recordare.

3 ¶ Least that after the tenant hath repleuied his beastes hée should sell them, or driue them farre of, whereby the Lorde which distrayneth cannot haue returne if it be adiudged for him, the Sherife or his Bailifes shal not take of the plaintifes pledges onely to prosecute their suit before they make deliuerance of their beastes, but also to returne them, if returne be awarded, And if any doe take pledges in other sorte, he shall aunswer the price of hys cattell, and the Lorde which distrayneth shall haue his recouerie by writte ¶Pledges to prosecute the suite & to make returne.

writte, that he shall deliuer him so many beasts or Cattell, and if the Bailife haue not wherewith to satisfie, his Lorde shall pay it. West. 2. An. 13. Ed. 1. 2.

A distres taken vpon a suit cõmenced by the procurement of others.

4 ¶ If ỹ Lords of courts, or other Courtholders or Stewards willing to trouble those which be in subiection vnto them hauinge no lawfull cause or meanes to greeue them, will procure others to commence suits against them, and to geue gages, offer pledges, or purchase writtes, & at the suits of such plaintifes will cause them to resort vnto the Countie, hundred, Wapentake, and other courtes vntill they haue pated thẽ a fine, according to their owne request, which is not lawful to be dõe, Therefore in this case if any mã be attached by any such false complaints he shall replegy his distres so taken, & remoue the suit before the Justices, before whom if the sherife or any other Bailiffe or Lord (after the partie so distrayned hath framed his complaint) will auowe the distresse wil by reason of any such complaintes before them made. And if it be replied that the same complaints were maliciously moued against them at the instance or procurement of the Sherife or other Bailiffes or Lords, the replication shalbe admitted, & if they be therevpon conuicted, they shal paye a greeuous amerciament to the Q. and aunswere to the partie greeued treble damages. West. 2. 13. Ed. 1. 37.

1 Hovv many deputies euerie Sherife shall ordeine to make Repleuies & vvhere. S. Sheriffes. 22.

2 Where the Sherife shall direct his precept to the Bailiffe of a libertie, and where he him selfe shall repleuie a distresse. S. Sheriffes. 30.

¶ Restitution.

Restitution of stolle goods after the attaindor of the felon.

1 If any Felon or Felons doe robbe, or take away any money, goods, or Cattels, from any of the Quenes Subiects, frõ their person, or otherwise within this Realme, and thereof be indicted and after arraigned of the same Felony, and found guiltie thereof or otherwise attainted by reason of euidence geeuen by the partie so robbed, or owner of the saied money goods or cattels, or by any other by their procuremẽt, then ỹ partie so robbed or owner shalbe restored to his said money goods and cattels. And aswell ỹ Justices of Gaole deliuerie, as other Justices before whom any such Felon shalbee found guiltie, or otherwise attaynted by any of the meanes aforesaid, haue power to awarde frõ time to time writs of restitutiõ for the said money, goodes, & cattels, in like maner, as though any such Felon were attainted at ỹ suit of the partie in appell. 21. H. 8. 11.

The

They which doe feare ỹ indirect dealing of Sheriffes, may deliuer their originall and iudicial writs in the open countie, or in some other place of the shere, where collectiõ of the Quéens money is made, and may take a bill of the sherife or vnder sherife bée ing present, in which shalbe contained the names of the demaundants and tenants named in the writte, & vpon his request which deliuereth the writte, the sherife or vndersherife seale shalbee put to the bill for a witnesse, (without any thing taking therefore. 2. Ed. 3. 5.) And mencion shalbe made of the day of the deliuerance of the writ. And if the sherife or vndersherife will not put his seale to the same bill, witnesse shalbe taken of Knightes and other credible persons which be present, the which shall put their seales to the same bill, and if the Sherife will not returne writtes deliuered vnto him, and thereupon complaint be made to ỹ Iustices, a Iudiciall writt shalbe directed to the Iustices of assise, that they shal enquire by those that were present when the writt was deliuered vnto the sherife, if they knowe of the deliuerance, which inquisitiõ shalbe returned. And if it be found thereby, that the writ was deliuered vnto him, damages shalbe awarded to the plaintife or demaundaunt, hauing respect to the quantitie and qualitie of the action, & to the perill which might haue chaunced vnto hym by the delay which hee suffered (and also the Iustices of Assise haue power to inquire thereof at euery mans complaint, and to awarde damages vt sup. &c. 2. Ed. 3. 5.) And by this meane remedie shall be had when ỹ sherife doth returne that the writte came to late, whereby hee could not execute the Quéenes commaundement. *West.* 2. 13. Ed. 1. 39. S. Sherifs. 10. That euery sherife shal make a deputie in ỹ Chauncery, Kinges Benche, Common place, & Eschequer, to receyue all writtes and warrantes to bée delyuered vnto them.

The manner how writs shal be deliuered to the sherife to be executed.

Deputies to receiue writs.

2. ¶ If the sherife doe returne, that hee hath commaunded the Bailifes of some libertie, which did nothinge therein, (where in déede there is no such libertie, wõin that countie which euer had returne of writs) then ỹ sherife shalbe punished as a disinheritor of ỹ Quéene, & her Crowne, *West.* 2. 13. Ed. 1. 39.

Returning of a libertie where none is.

3. ¶ If ỹ Sherife doth returne, that he hath directed his precept to the Bailiffes of some libertie, (which in déede haue returne of writs) which did nothing therein, then the sherife shalbe cõmaũded, that he shall not omitte for any libertie aforesaid, but shal execute the Quéenes commaundement, and that hée shall warne the Bailiffes to whom hee returned the writte, that they shall appeare at a daye contayned in the wrytte, to aunswere why they

Precept directed to the Bailifs of a libertie

they did not execute the Quéenes precept, And if they do appeare at the day, and doe acquite themselues, that the writ was not returned vnto them, the Sherife shalbe forthwith condempned to ỳ Lord of the same libertie, and likewise to the partie greeued by ỳ delay, to restore him damages. But if the Bailifes do not appeare, or doe appeare, & doe not acquite them selues in forme aforesaid, in euery Judiciall writ so long as that suit dependeth, ỳ Sherife shal be commaunded, that he spare for no libertie &c. Westm. 2. 13. Edwardi I. 39.

Non omittas propter aliquam libertatem.

Returning of Issues.

4 ¶ If the Sherife do returne no issues, or small issues, where he may returne greater, if the plaintife wil desire to heare ỳ Sheriffes returne, he shall, and if he will offer to proue that the Sherife mought haue returned greater issues to the Quéene, hee shall haue a Judiciall writte to the Justices of Assise, that they shal inquire in the presence of the Sheriffe, (if he will be present) of what and how great issues the Sherife might haue made hys returne, from the day of the writ purchased, vnto the day contayned in the writte (videlicet of the returne thereof,) and when the inquisition is returned, if he hath not fully aunswered before, hée shalbe charged with the ouerplus, by the estretes of the Justices deliuered into the Eschequer, and neuertheless shalbe grieuously amerced, And the Sherife ought to knowe that rent, Corne in grange, and all moueables, besides horse, apparell, and housholde stuffe, are conteyned vnder the name of issues. Westminster. 2. 13. Edwardi. I. 39.

What be Issues

Resistence in executing the Queens writs

5 ¶ The Sherife ought not to returne that hee could not execute the Quéenes precept, by resistance of the power of any Noble man, for that returne tendeth to the dishonour of the Quéene, and her crowne, for allone as his vnder Bailifes doe testifie that they found such resistance, the Sherife forthwith (al businesse sett apart, taking with him the power of his countie) shall go in hys owne person to doe execution, and if he find his vnderbailifes faile he shall imprison them, (that other men may be warned by theyr punishement,) And if he find them true, he shal imprison ỳ Resistors, from which prison they shal not be deliuered without the Quéenes speciall commaundement, And if the Sheryffe at hys comminge doe find such resistance, he shall certifie the Court of the names of the resistors, theyr aydors, consentors, commaunders, and fauourers, which shalbe attached by a Judiciall writte to appeare at the Quéenes Court, and if they be conuicted of such resistence, they shalbe punished at the Quéenes pleasure. But no officer of the Quéenes shall medle in assigninge of the forelayed punishement,

punishement, for the Quéene onely shall doe it, for such resisters are disturbers of her peace and Realme. Westm. 2. Anno. 13. Edwardi. I. 39.

6 ¶There shalbe an Indenture made betwixt the Bailife of ỳ franchyse which hath full returne of writtes by his proper name and the Sherife by his proper name, of euery returne which the Bailife of any such fraunchise shall make to the Sherife. And if ỳ Sherife do change the returne so deliuered vnto him by Indẽture and thereof be attainted at the suit of the Lord of the same fraunchise, from whence he hath receiued the said returne (if the Lorde haue receiued any damage, or if his franchise be impaired) and at the suit of the partie which hath receiued losse by this meanes, he shalbe punished by the Quéene for his false returne, and also shall yéelde to the Lord, and the partie double damages, Statut' Eborum. 12. Ed. I.

Indenture betwixt the sherif and bailife of franchise of euerie returne.

7 ¶Sheriffes, and other Bailifes which receiue the Quéenes writs, returnable into her court, shall put their owne names to ỳ returns, so that the court may knowe of whom they take such returnes, if néede be, & if any Sherife or other Bailife doe leaue out his name in his returne, he shalbe greuously amerced to ỳ Queens vse. Stat. Eborum. 12. Ed. I. 5.

Sheriffes & bailiffes shal put their names to returnes.

8 ¶A man shall haue auerment against the false returnes of Bailifes of franchises which haue full returne of writtes, & recouer aswell against them, as against the Sherife, aswell of smale Issues returned, as in other cases, so that it be not preiudiciall to the Lordes, nor to the impairinge of their fraunchises, for the punishment shall fall onely vppon the Bailifes by the punishement of their bodies, if they haue not whereof to answere. An. I. Ed. 3. 6.

Auerment against the returne of bailifs

9 ¶If any Sherife, or other hauinge auctho*r*itie to returne writs, doth make an vntrue returne vpon any Capias, in a writt of Excomunicato Capiendo to him directed, that ỳ partie named in the writte hath not yéelded hys body vppon any proclamatyon made, where in déede he hath yéelded himselfe according to the effect thereof, he shal forfait to the partie gréeued forty pounde, to be recouered by Accion, Bill, Plaint, wherein no W. E. P. &c. 5. Elizabeth. 23.

Excomunicato capiendo.

10 ¶If the Sherife of any Shere in Wales, in ỳ countie Palantine of Lancaster or Chester, or of the Citie of Chester doth returne a writt of proclamation after a writt of erigent awarded against any perso, & doth not make returne thereof into ỳ court out of ỳ which ỳ said writ of proclamatiõ shalbe awarded, he shal forf. v. pound

Writts of proclamation in Wales, Lãcaster, Chester.

v.li. to the Q. & I. to be rec. by A. of debt, wherein no W. ꝛc. C. p. ꝛc. 1. Ed. 6. 10. 5. Ed. 6. 20. S. Exigent. 8.

Returne vpõ information for giuing of liueries.

11 ¶Upon any Bill, Information, or Acciõ exhibited or sued against any person being sufficient, vpon the Statute, prouided. 8. Ed. 4. for geeuing of Liueries, or Badges, or vnlawful Retaining if the Sherife or Coroner doo returne any lesse issues vpon the defendant then xx. shillinges at ỳ first day of the distresse, at the secõd day xxx. s. at the third day xl. s. & so at euery day after x. s. more, he shall forf. for euery Returne made against the forme aforesaied xx. s. 8. Ed. 4. 2. S. Sherifes.

I What Iurrors, and of vvhat sufficiency, the Sherife in seueral cases shall returne and vppon vvhat paine. S. Iurors. 12. 13. 14. 16. 19. 20.

¶Riots, Routs, vnlavvfull assemblies.

The Iustices & sheriffs shall arrest those which cõmit Riots.

IF any Riot, Assemble, or Route of people against the lawe be made in any part of ỳ Realme, the Justices of peace, iij. or two of them at ỳ least, and the Sherife, or Undersherife of the Shere where such Riot, assemble, or Route shalbe made, shal come with the power of the county (if neede be) to arrest them, & shall arrest them, And ỳ same Justices, Sherife, or Undersherife haue power to Record that which they shall find done in their presence against ỳ lawe, & the same offenders shalbe conuict by the record of ỳ same Justices, sherife, or vndersherife, in maner & forme as is cõtained in ỳ statute of forcible entries. 17. R. 2. 8. 13. H. 4. 7. S. Force &c. 2.

Enquirie of riot.

2 ¶If it happen that such offendors be departed before ỳ comming of the said Justices & Sherife, or vndersherife, ỳ same Justices, three or two of them, shal diligently enquire within a Moneth after such Riot, Assemble, or Rout of people so made, and the same shall heare and determine, according to the lawe of the Realme. Anno. 13. H. 4. 7.

Certifiyng of the riot to the Queenes her Councell.

3 ¶If the truth cannot be found in maner aforesaid, then within a moneth nert after, ỳ same Justyces three or two of them, and ỳ said sherife or vndersherife, shall certifie ỳ Queene & her Councell of the whole fact, & ỳ circumstances thereof, which Certificat shal be of the same force that a Presentment by vij. men is, vpõ which Certificat ỳ said offendors shalbe put to aũswere, & they which shal be found guiltie, shalbe punished by the discretion of the Quene & her Councell. And if the same offendors, doe trauerse the matter so certified, ỳ same certificat & Trauers shalbe sẽt into the kinges Bench, there to be tried & determined according to ỳ order of the law. 13 H. 4. 7.

Trauerse of the certificat.

4 ¶If

4 ¶If ỳ same trespallors, & offēdors do not cõe before ỳ Quéene & her Councell, or into the Kings Bēch at the first precept, thē another precept shalbe directed to the sherife of the shere, to take thē if they may be found, & to bring them at a certaine day before the Quéene & hir Counsell, or into ỳ Kinges Bench. And if they cannot be found, the sherife or vndersherife shall make proclamation in his ful County next ensuing the deliuery of the said second Precept, that they shall appeare before the Quéene & her Councell, or in the Kinges Bench, (or in the Chauncery in the time of vacation) vin three weekes then next following. And if the offendors do not appeare, & the Proclamation be made, & returned, they shal be attaynted & conuicted of the Riot, Assemblie, and Rout aforesaid. 13. H. 4. 7. Proces against the offendors.

5 ¶The Justices of peace which dwell nearest in euery Coũty where such Riott of people shalbe, together with the sherife, or vndersherife, of the same County, And also the Justices of Assise, for ỳ time ỳ they shalbe in their Sessions (in case any such Riott, assemblie or Rout be made in their presence,) shal doe Executiõ of this statut, euery one vpõ paine of an C. li. to be paied to ỳ Quéene as often as they shalbe found in default of Execution of the same statute. 13. H. 4. 7. The forf. of the Justices which doe not execute this statut.

6 ¶If default be found in ỳ said two Justices of peace, or Justices of Assise, & the sherife or vndersherife of ỳ Coũty where such Riot, assẽblie, or Rout shalbe made, touching the Executiõ ỳ they ought to make by vertue of the said statute: then at the instãce of ỳ party greeued the Quéens cõmission shal goe out vnder her great seale, to enquire aswell of ỳ truth of ỳ case, & of ỳ originall matter, for ỳ party cõplainant as of ỳ default or defaults of ỳ said Justices Sherife, or vndersherife in this behalfe supposed, to be directed to sufficiẽt & indifferent persons, at ỳ nomination & by the aduise of ỳ Chauncellour of England. And the said commissioners incõtinẽt shal send into the Chauncery the enquests, & matters before them in this behalfe taken & found. 2. H. 5. 8. Cõmissioners to enquier of the Justices & sherifs default

7 ¶The Corroners of ỳ same County in which such Riot, Assemble, or Rout shalbe made, shal make the panell, vpon the saied Commission, returnable, for the time that ỳ sherife so supposed in default, shal remaine in his office, which corroners shal returne no persons but onely such which haue landes, tenemẽts, or rẽts, to ỳ value of x. li. by ỳ yeare at ỳ least. And also ỳ same Corroners shall returne vpon euery of ỳ said persons empannelled at the first day when Issues be to be lost xx. shillinges at the least, at ỳ second day xl. shillinges at the least, & at the third day C. shillinges at ỳ least, and Vpon the commission the Coroners shall returne the Jury.

& at euery day after, ỳ double at the leaſt, which Iſſues ſo returned becauſe of non apparance of ſuch perſones impannelled ſhalbe forfait to the Quéene. And if default be found in the ſaied Cozoners touching the returne of ſuch perſons to be impanneled, oz touching ỳ returne of ſuch Iſſues, as afoze is ſaid, euery of them ſhal pay to the Q. xl.li. 2. H. 5. 8.

Where the ſheriffe & not the Cozoners ſhall returne the Jury.

8 ¶ And if ỳ ſaid Sherife ſo reputed in default, be diſcharged of his Office at the time that ſuch Commiſſion ſhall goe out of the Chauncery, then the newe Sherife of the ſame county, his ſucceſſoz, mediat oz immediat, & not ỳ Cozonerz, ſhal make ỳ pānel vpō this Commiſſion, returnable in maner and fozme as the ſaid Coroners ſhould doe in time when the Sherife ſo reputed in default ſtode in his office. And the ſame newe Sherife ſhall incurre like paine of fozty pound to the Quéene, if any default in him befound touching the returne of other perſonnes by him impanelled which haue not landes oz rentes to the value of tenne pound by yeare, oz of returning ſuch Iſſues as the ſaid Cozoners be aboue charged to returne, as the ſaid Cozoners be to loſe to the Quéene. An. 2. H. 5. 8.

A writ directed to enquire of Riots.

9 ¶ The Chauncelour of Englande, as ſoone as he may haue knowledge of ſuch Riot, Aſſemble, oz Rout, ſhall cauſe to be ſent the Quéenes writte to the Juſtices of peace, and to the Sherife, oz vnder sherife of the Countie where they be ſo made, that they ſhal put the fozeſaid Statute of. 13. H. 4. in execution, vppon the paine contayned in the ſame. And though that ſuch writte come not to ỳ ſaid Juſtices, Sherife, oz vnder sherife, they ſhall not bée excuſed of the paine afozeſaid, if they make not execution of the ſaid ſtatut 2. H. 5. 8.

Riots ſhalbe enzelled & enquired of at the Queens coſtes.

10 ¶ The Juſtices and other Officers afozeſaid, ſhall doe their offices afozeſaid at the Quéenes coſtes, in going, tarying, and returning, in doing their ſaid Offices, by payment thereof to be made by the Sheriffe of the ſame Countie foz the time being, by Indentures betwixt hym, and ỳ ſaid Juſtices, and other Officers afozeſaid to be made of the payment afozeſaid, wherof ỳ ſaid sherife vpon his accompt in the Eſchequer ſhal haue due allowance. Anno 2. H. 5. 8.

The punishmēt of Riots.

11 ¶ Such Riotozs attainted of great and heynous Riottes, ſhall haue one whole yeares impriſonment at the leaſt, without being lett out of Priſon by Bayle, Mainpriſe, oz in any other maner during the yeare afozeſaid, and the Riotozs attainted of petit Riots, ſhall haue impriſonment as ỳ Quéene & her Councell ſhall thinke good. 2. H. 5. 8.

12 ¶ The

12 ¶The Quenes liege people being able to trauell in the Countie where such Routes, Assemblies, or Riottes be, shalbe assistant to the Justices, Commissioners, Sherife, or Undersherife of the same County, when they shalbe reasonably warned, to ride with the said Justices, sherife &c. in ayde to resist such riots, routs, and assemblies, vpon payne of imprisonment, and to make fine & raunsome to the Quene. 2. H. 5. 8. Ech man shall helpe to represse Riots.

13 ¶The Bailifes of franchises shal empanel sufficient people as before, vpon paine to lose to the Quene xl. li. in case that such sufficient persons may be found within the said frãchises: And like ordinances and paines shall hold place & take effect in Cities, Boroughes, & other places, and Townes enfranchised, which haue Justices of peace within them. 2. H. 5. 8. Bailifes of franchises. Riots in cities & townes corporat.

14 ¶If any Riot, Rout, or vnlawful assemblie be committed within this Realme, the Sherife hauinge a Precept directed to hym, shall returne xviij. persons dwelling within the Shire, where such Riot &c. shalbe so committed, whereof euery of them shall haue landes and tenementes within the same Shire, to the yearely value of xx. s. of Charter land, or freehold, or xxvi. s. viij. d. of copy hold, or of both, aboue all charges, for to enquire of the said Riot &c. And he shall returne vpon euery person so by him empanneled in illues at the first day xx. s. at the second xl. s. (if that they appeare not and be sworne to enquire of the premisses at the first day.) And if default be found in the Shirife, or Undershirife for returning of other persons not being of the said sufficiency, or for not returning illues in forme aforesaid, then the said sherife shall forfait to the Quene for either xx. li. 19. H. 7. 13. A Jury to enquire of riots.

15 ¶If the said Riotte, Rout, or vnlawfull assemblie be not founde by the said Jury, by reason of any mayntenance or embracerie of the said Jurors, then the same Justices, and the Shirife, or Undershirife (besides such certificat that they be bound to make according to the foresaid statut of 13. H. 4.) shall in the same certificat certifie the names of the maintenors and embracors in that behalfe (if any be) with their misdemeanors that they know, vpon paine of euery of the said Justices, and Undershirifes, to forfaite xx. pound if they haue no reasonable excuse, for not certifiyng of the same, which certificat so made shall be of like force and effect in the law, as if the matter contayned in the same were duely found by the verdict of xij. men, and euery person duely proued to be a mainteynor or embracor of the same, shall forfaite to the Q. x. pounde, and shalbe committed to warde, there to remayne by the discretion of the Justices. 19. H. 7. 13. Maintenance whereby a riot is not found by the Jury. The punishment of the maintenors & embracors.

Xii. or aboue assembled to chāg any lawes.

16 ¶ If any persons to the number of xij. or aboue, being assembled together, shall intend, goe about, practise, or put in vre by force of armes, vnlawfully and of their owne auctority, to chāge any lawes made or established for religion by auctoritie of parliament which stand in force, or any other lawes or estatutes of this Realme, the same number being commaunded or required by the Shirife of the shire, or by any Justice of peace of the same shire, or by the Maior, Shirife, Justices of peace, or Bailifs of any Citie, Borough, or Towne corporate, where any such assemblies shalbe vnlawfully had or made, by Proclamation in the Queenes name, to retire and repaire to their owne houses and habitations, or places from whence they came: And they or any of them notwithstandinge such Proclamation, shall continue together by the space of one whole houer after such commaundement or requeste made by Proclamation, or after that shall willingly in forcible & riotous maner, attempt to doe, or put in vre any the things aboue specified, then aswell euery such abode or continuinge together, as euery such act or offence, that after such commaundement or requeste by Proclamation shalbe attempted to be done, by any persons being of the number aforesaid, shalbe iudged Felony, in all and singuler those persons that so shal continue together, or shal attempt or commit any such act. And the offendors therein shalbe adiudged felons, and shall suffer onely execution of death, as in case of Felony. 1. M. 12. 1. El. 17.

Practising to distroy parkes, ponds, condits.

17 ¶ If any persons to the said number of xij. or aboue, shall intend, goe about, practise, or put in vre, in maner & forme aforesaid, to ouerthrow, cut, breake, cast downe, or digge vp the pales, hedges, ditches, or other inclosure of any parke or other ground inclosed, or the bankes of any fish pond, or Pole, or any Condits for water, Condit heades, or Condit pypes hauing course of water, to the intent that any of the same from thencefoorth should remayne open not inclosed, or voide, or vnlawfully to haue common or way in the said parke or other ground inclosed, or in any of them, or to distroy the Deere in any parke, or any warren of connyes, or any Doue houses, or any fish in any fish pond, or pole, or to pull or cut downe any houses, barnes, mills, or bayes, or to burne any stacks of Corne, or to abate or diminish the rents, or yearely value of any lands or tenements, or the price of any victuall corne or graine, or any other thing vsuall for the sustenance of men, and being required or commaunded by any Justice of peace, or by the Shirife of the Countie, or by the Maior, Bailife or Bailifes, or other head Officers of any Citie, or Towne corporat, where such assemble shalbe

Cōmon of way

Distroying of Deere, conies, doue houses, fishe.

Pulling downe houses, burning stacks of corne, abating of rēts.

shalbe had, by Proclamation to be made in the Quenes name, to returne in peaceable maner, to their places & houses from whence they came, and they or any of them, (notwithstanding such Proclamation) shal remaine and make their continuance together by the space of one whole houer after such commaundement or request made by Proclamation, or after that shall in forcible maner doe or put in vre, any of the thinges last before mencioned: Then all well euery such continuing together, as euery such act that after such commaundement or request by Proclamation made, shall be done, practised, or put in vre, by any persons beinge aboue the number of xij. shalbe adiudged Felony, and the offendors therein shalbe adiudged felons, and shal suffer onely the execution of death, as in case of Felony, 1. M. 12. 1. El. 17.

Rayling of vnlawful assemblies by some act or woords.

18 ¶ If any person or persons, vnlawfully, and without auctoritie, by rayging of any Belles, sounding of any Trumpet, Dromme, Horne, or other instrument, or by fiering of any Beacon, or by malicious speaking or vttering of any woorde, or making any outcry, or by setting vp, or casting of any bill or writing, or by any other act, shall raise, or cause to be raysed or assembled, any persons to the number of xij. or aboue, to the intent that they shuld doe or put in vre any of the thinges aboue mencioned, and that the persons to the number of xij. or aboue so raysed & assembled, after request or commaundement had or gyuen, in forme aforesaid, shal continue together, as is aforesaid, or vnlawfully and in forcible maner committe or put in vre any of the thinges aboue said: Then al & singuler persons by whose speaking, act, or any other the meanes aboue specified, any persons to the number of xij. or aboue shalbe raysed or assembled for the doing, or putting in vre any of the things aboue mencioned, shalbe adiudged for his so speaking or doing, a Felon, & shal suffer execution of death, as in case of Felony. 1. M. 12. 1. El. 17.

Relieuing them which be assembled.

19 ¶ If any wife or seruant of any of the same persons, or any other person whatsoeuer, shall willingly and without compulsion, bringe, send, delyuer, or conuey any money, Harnesse, Artillary, Weapon, Meat, Bread, Drinke, or other victuall, to any person or persons so being assembled, as is aforesayd, during such time as he or they shal so be together: Then euery wife, seruant, or other person so bringing or conueying any of the foresaid thinges to the same persons so assembled, or to any of them, and not departing to their dwelling places vpon request, or commaundement made vnto them as is aforesaide, shalbe adiudged Felon. 1. M. 12. 1. El. 17.

Vnlawfull assemblies aboue .xl. & vnder .xii.

20 ¶If any persons aboue the number of .xl. and vnder the number of .xij. being assembled together, shall intend, practise, or put in vre, with force of armes, vnlawfully, & of their owne authoritie to murder or slay any of the Quéenes subiects, or to ouerthrow, cut, breake, or cast downe, or digge vp the pales, hedges, ditches, wall, or other closure of any Parke or other ground inclosed, or the banke of any Fish ponde, or Pole, to the intent that the same, or any of them from thencefoorth should remayne open not inclosed, or voide, or to haue common or way in any of the same Parkes or groundes inclosed, or to distroy any parke or fish ponde, or pole, or any warren of Conies, or any Douehouses, or to pull, or cut downe any house, barne, mill, or to burne any staches of corne, or to alter, defalke, or abate the rents, or yearely value of any landes of any the Quéenes subiects, or the price of any victual, corne, or graine, or any other thing vsuall for the sustenance or apparell of men, and being required or commaunded by any Justice of peace, or the Sherife of the Countie, or by any Maiors, bailifes, baylife, or other head Officer of any Citie, or Towne corporat, where such assemblie shalbe had, by Proclamation to be made in the Quéenes name to returne to their habitations, and they so required shal not so doe, but after ý shall in forcible maner in forme aforesaid, attempt to doe, or put in vre any of the things last aboue mencioned: Then euery of the same persons being aboue .xl. & vnder .xij. shal suffer imprisonment by the space of one yeare without baile or mainprise. And also if any persõ shalbe dampnified or hurt by the cõmitting of any vnlawfull thing aboue mencioned, thẽ he shall recouer & haue damages wt the costes of his suit sustained in that behalfe trebled against the offẽdors therin. 1. M. 12. 1. El. 17.

The partie greued shal recouer trebie damages

Rayling of power to suppresse vnlawfull assemblies.

12 ¶If any persons aboue the number of .xl. shalbe vnlawfully, and of their owne authority assembled together, to the intit with force and armes, to doe, practise, or put in vre any of ý things aboue mencioned, then it shalbe lawfull to euery Justice of peace, and to euery Sherife in any Countie being within the Quéenes dominions, and to euery Maior, Bailife, and other head Officer of any Citie or Towne corporat, for the time he shalbe in office, or any other person or persons hauing the Quéenes Commission or letters from her highnes, as wel to raise & assemble ý Quéens louing subiects in maner of warre to be arrayed, in such great number, as he or they then shall thynke meete or able, to the intent by violence and strength to suppresse and take the saide persons that so shalbe vnlawfully assembled, and if the sayde persons so vnlawfully assembled, after such commaundement or request by procla-

proclamation made, shall continue together, and not endeuour themselues to returne towards their houses or places from whence they came, in such short time as they may conueniently, then it shalbe lawfully to euery Justice of peace, Sherife, and also euery Maior, Bailife, and other head officer of any Citie, or towne corporate, & to euery other person hauing auctoritie as is aforesaid, after such commaundement or request by Proclamation made, or to such persons as shalbe assembled with any Justice of peace, or Shirife, or with any Maior, Bailife, or other head officer of any Citie or Towne corporat, and with euery other person hauing auctoritie as is aforesaid, to suppresse and take those persons so assembled, which after such Proclamation made, shall continue together and not endeuour themselues to returne towardes their habitations &c. And if the said persons so vnlawfully assembled, or any of them shal fortune to be killed, maymed, or hurt, in or about the suppressing or taking of them, then euery Justice, Shirife, Maior &c. and euery other person hauinge auctoritie as is aforesaid, and all and singuler persons by him or them assembled shalbe discharged & vnpunishable, aswell against the Quéene, as against euery other person, concerninge the killing, maymyng, and hurtinge of any person so vnlawfully assembled, that shalbe kylled &c. 1.M.12.1. Elizabeth 17.

Copyholder being required, refuseth to serue the Queene.

22 ¶Euery Copyholder, or customary holder being yeoman, artificer, husbandman, or laborer, and beinge of the age of xxiij. yeares or more, and vnder the age of lx. yeares, not sicke, impotent, lame, maimed, ne hauing any other iust or reasonable excuse, or cause to the contrarie, and being required by the Shirife, Justice of peace, or other hauing auctoritie by this act, or by Commission or letters &c. they declaring their said auctoritie, or being required by the immediate Lord or Lordes, of whom such copie or customarie holdes then shalbe holden, to serue the Quéene for any the causes aboue rehearsed, and refuse so to doe, shall onely duringe the life of such person so refusing, forfaite to his Lorde or Lordes of whom such copie or customarie holdes then shalbe immediatly holden, and should be holden during the life of such person, in case he had not so refused, all his copye and customarye holdes. And it shalbe lawfull to euery such Lorde &c. his heires or assignes, of whom such copie or customary holdes shalbe immediatlye holden, and should haue bene holden in case that such person had not so refused, to enter and take into his possession all such copy and customary holdes so holden of hym immediatly, and to retayne the same during onely the life of euery such offen-

dour, in such maner as he should haue had the rents or seruice of such copie and customary holde, in case such person had not refused. 1. M. 12. 1. El. 17.

A farmer required, refuseth to serue.

23 ¶ Euery Fermor being a yeoman, husbandman, artificer, or laborer, and being of the age of xviij. yeares or more, and vnder the age of lx. yeres, not sicke, impotent, lame, maymed, ne hauing any other reasonable excuse, & being required by the Shirife, Iustice of peace, or other hauing authoritie by this act, or by Commission, or letters &c. they declaring their said authorite, or being required by his Landlord, or Landlords, to whom the rēts of such farmes shalbe thē comming, to serue the Quēne for any the causes aboue reherled, & refuse so to doe, shall during onely the life of such fermor so refusing, forfait to such landlord, or landlordes, as should haue had the rent of such fermor during the life of such person so refusing all his said farmes. And it shalbe lawfull to euery such landlord &c. his heires and assignes, to whom the rents of such farmes should haue bene due during the life of such person in case he had not refused, to enter & take into his handes all such farmes, & to retaine the same during onely the life of euery such offendor. But after the death, expiration, or determination, of the interest, or terme of yeares of euery such copy holder, customarie holder, or fermor, as so shall offend and forfait &c. then euery such person as ought to haue had the same after, or by the death, expiration, or determination of the interest, or terme of yeres of such copyholder, customary holder, or fermour in case he had not so offended ne forfaited, shall & may haue the same copyholdes, customary holdes, & fermes by entre, action, admission or otherwise, in like maner and condicion, and by such meanes, as euery of them should or ought to haue had, if no such forfaiture or offence had bene committed. 1. M. 12. 1. El. 17.

Disclosing a commotion, whereunto one is moued.

24 ¶ If any person shalbe spoken vnto, moued or sturred to make any commotion, insurrection, or vnlawfull assemblie for any of the intentes aboue mencioned, and doe not within xviij. howers next after he shalbe spoken vnto, moued, or sturred (vnles he haue good reasonable cause of excuse) declare the same vnto one Iustice of the peace, or Shirife of the said countie, or to the Maior, Shirifes, Bailifs, or other head Officers of any Citie, or Towne corporat, where such motion &c. shalbe had, he shal suffer imprisonment by the space of three moneths without baile or mainprise vnlesse he shalbe discharged by three Iustices of peace (whereof one to be of the Quorum) of the same Shire where the offence shalbe committed. 1. M. 12. 1. El. 17.

25 ¶ If

25 ¶If any person being aboue the age of xviij. yeares, and vnder the age of lx. being able to serue, and not sicke, lame, or impotent, shalbe required by any Justice of peace, or any Shirife of any Countie where any such assemblie shalbe, or by any Maior, Bailife, or other head Officer of any Citie, Borough, or Towne corporat, or by any other by the commaundement of any such Justice, shirife, Maior &c. to goe with him or them, to suppresse the persons vnlawfully assembled in maner and forme aforesaid, then euery person which so being able and required doth willingly, and obstinately refuse so to doe, shall suffer imprisonment for one yere without baile or mainprise. 1. M. 12. 1. El. 17. An able person required, refuseth to serue.

26 ¶If the Queene shall by her letters Patents make any Lieutenant in any Countie or Counties of this Realme, for the suppression of any commotion, rebellion, or vnlawfull assemblie, then aswell all Justices of peace, and the Shirife of euery such Countie, as all Maiors, Bailifes, and other head officers, and all inhabitants and subiects of any Countie, Citie, borough, or towne corporat, within euery such Countie, shall vpon the declaration of the said letters Patents & request made, be bounde to giue attendance vpon the same Lieutenant, to suppresse any Commotion, Rebellion, or vnlawfull assemblie, vnlesse he so required, haue any reasonable excuse for his not attendance, vpon paine of imprisonment for one whole yeare. 1. M. 12. 1. El. 17. Attendãce vpon a Lieutenant.

27 ¶The order and forme of the Proclamations that shalbe made by the authoritie of this Act, shalbe as hereafter followeth, or with the like order and wordes in effect, by the Justices or other person authorized by this act to make the said Proclamation, shal make, or cause to be made an Oyes, and after that, shal openly pronounce, or cause to be pronounced these wordes, or like in effect. The Queene our Soueraigne Ladye, chargeth and commaundeth all persons being assembled immediatly to disperse thẽselues, and peaceablie to depart to their habitations, or to their lawfull businesse, vpon the paine contayned in the Act lately made against vnlawfull and rebellious assemblies, and GOD saue the Queene. 1. M. 12. 1. El. 17. The forme of the Proclamation.

28 ¶If any person shall molest, let, hinder, or hurt any person or persons that shall proclayme, or goe to proclayme according to the Proclamation, and order aforesaid, whereby such proclamation shall not be made, then euery such person so molesting, or hurting &c. and hauing knowledge of his message, shall incurre such daunger, and suffer such paines and forfaitures as the persons assembled, to whom the Proclamation should haue bene made, Hinderance of the Proclamation.

shoulde by this Act incurre for not obeying the Proclamation (if it had bene made) or for doing after the Proclamation of any the thinges before expressed. And also all such persons being assembled to the number aforesaid, to attempt, or doe any the thinges aforesaide, to whom Proclamation shoulde or ought to haue bene made, if the same had not bene let, shall likewise in case they doe after put in vre, and doe any the thinges aforesaid, hauinge any wayes knowledge of the let so made, or by any meanes procuring the same let, incurre like daunger, and suffer like paynes and forfaytures aforesaid, in euery their degrees, as though the Proclamation had bene made, any clause in this act &c. notwithstanding. 1. M. 12. 1. El. 17.

Other mens rights saued.

29 ¶ All and euery the heires of all and euery the offendors in any the cases aforesaide, and all and euery person and persons, bodies politique, and corporat, their heires, successors, and executors, and euery of them (other then such persons onely, as shalbe attaynted, conuicted, or outlawed, of any the aforesaid offences of Felony,) shall haue, hold, and enioy, all such right, title, entrie, interest, leases, possessions, rents, condicions, profits, and aduantages, as they or any of them shall, or of right ought to haue, in, or to any lands, rents, reuersions, seruices, or hereditaments, whatsoeuer, or any part thereof, in as large maner to all intents, as if such attainder had neuer bene had, any thing in this act notwithstanding &c. Sauing to euery person body politique and corporat, and their successors, their liberties & franchises in such maner, as if this act had neuer bene made. 1. M. 12. 1. El. 17.

Procuring others to offende.

30 ¶ If any person doe moue, stirre, or procure any other, to commit any of the offences in this act specified, then he shall suffer such punishment by imprisonment without baile or mainprise as is before expressed in this act against counsaillors of such offendors, 1. M. 12. 1. El. 17.

Vnlawfull assemblie by xl. or aboue.

31 ¶ If any persons to the number of xl. or more, shall assemble together in forcible maner, vnlawfully, and of their owne authority, to the intent to execute, doe, or put in vre, any of the thinges aboue specified, or to doe other felonious or rebellious act, or actes, & so shall continue together by the space of iij. howers, after Proclamation shalbe made, at or nighe the place where they shalbe so assembled, or in some market Towne thereunto next adioyning, and after notice thereof to them gyuen, then euery person so wilfully assembled in forcible maner, & so continuing together by the space of three howers after such Proclamation made, and notice thereof gyuen, shalbe adiudged a felon. 1. M. 12. 1. El. 17.

32 ¶ No

32 ¶No Lieutenãt that shalbe made by aucthoritie or colour of this act, or for to execute this act, shal constitute vnder hym, or in this place, any deputie, nor shal cal, or appoint to appeare before him by ỹ only aucthoritie of Lieutenancie, or of Cõmission of Lieutenãcie, any person, for any cause, or matter whatsoeuer, saue only for the causes and matters expressed in this act, and for none other. 1.M.12.1.El.17. Lieutenant shal not appoint a deputie.

33 ¶No person shalbe put to any losse, forfaiture, peine, or punishment of life, land, or goods, as accessarie to any person or persons ỹ shal commit any of the offences contained in this act, for receiuing, cõforting, or ayding of any such offendor after such act committed or done. 1.M.12.1.El.17. Ayding of the offendor after the offence.

34 ¶No attainder, or conuiction of any person for any offence herein contained, shalbe any corruption of bloud betwixt the offendor and any of his auncestors, or such person as should haue bene heire to such offendor, if no such attainder or cõuictiõ had bene had. Sauing to euery person, body politike, and corporat &c. their liberties & franchises in such maner, as if this act had neuer bene made. 1.M.1. Parliamẽt.12.1.El.17. to continue during the natural life of Queene Elizabeth, and to the end of the Parliament then next following. The attainder for these offences no corruption of bloud.

¶Roome &c.

If any person or persons dwelling, or resiant within any the M. dominions &c. or els where within or vnder her obeisãce &c. shall by writing, spherung, printing, preaching, or teaching, deede, or act, aduisedly, and wittingly hold, or stand with, to extol, set forth, maintaine, or defend the aucthoritie, iurisdiction, or power of the Bishop of Rome, or of his Sea, heretofore claimed, vsed, or vsurped within this Realme, or in any dominions being of, within, or vnder the Queenes obeisance, or by any speach, open deede, or act, aduisedly, and wittingly attribute any such Jurisdiction, aucthoritie, or preheminence to the said sea of Rome, or to any Bishop of the same within this realme, or in any the Queenes dominions, then euery such person or persons, so doing or offending, their abettors, procurors, and counsailors, and also their aidors, assistãts or comforters vpon purpose, and to the intent to set forth, further, & extol the said vsurped aucthoritie, or iurisdiction of any of the said Bishops of Rome, and euery of them, being thereof lawfully indicted, or presented, within one yeare next after any such offences by him or them committed, and being lawfully cõuicted or attainted at any time after, according to the lawes of this Realme for euery Maintaining the aucthorities of the Bishope of Roome.

euery such default and offence, shal incurre into the daungers, penalties, and forfaitures, prouided by the statut of prouision & premunire, made 16. R. 2. And if any such offendor after such conuiction & attainder, doe eftsones commit the said offences, or any of them in maner and forme aforesaid, and be therof duely conuicted and attainted, as is aforesaid, thē he shal forf. and suffer such paines forfaitures, iudgement, and execution, as is vsed in cases of high Treason. But this act, or any attainder to be had by force therof shal not extend to make any corruption of bloud, the disheritings of any heire, forfaiture of Dower, nor to the prejudice of the right, or title of any persō, other then of the offendour duringe his, her, or their natural lues only. But charitable geeuing of reasonable almes to any of the offendors aboue specified without fraude or couin, shal not be taken to be any such abettemēt, procuring, concealing, ayding, assisting, or comforting, as therby the geuer of such almes shal incurre any paine, penaltie, or forfaiture appointed in this act. 5. El. 1.

The second offence.

Relieuing the offendors.

2 ¶ If any person or persons shal vse, or put in vre in any place within this Realme, or in any the Quēnes dominions, any Bul, writing, or instrumēt, written or printed of absolution, or reconciliation, obteyned from the Bishop of Rome, or any his successors, or from any other person or persons auctorized, or clayming auctoritie, by, or from the said Bishop, his predecessors, or successours, or sea of Rome: Or if any person or persons shal take vpon him or them, by colour of any such Bul, writing, Instrumēt or auctoritie, to absolue, or recōcile any person, or to grant, or promise to any person within thys Realme, or any other the Queens dominions, any such Absolution, or reconciliation, by any speach preaching, teaching, writinge, or any other open deed: Or if any person or persons within this Realme, or any the Quēnes dominions, shal willingly receiue, and take any such absolution, or reconciliation: Or els if any person or persons haue obtained or gotten since the last day of ỳ Parliament, holden An. 1. El. or shal obtaine, or get, from the said Bishop of Rome, or any his successors, or sea of Rome, any maner of bul, writing, or instrumēt written, or printed, containing any thing, matter, or cause whatsoeuer, or shal publish, or by any wayes or meanes put in vre any such Bul, writing, or instrument, then al and euery such act and offence shalbe adiudged to be high treason, and the offendors therin, their procurors, abbettors, and counsailors to the fact, and committing of the said offence or offences, shalbe adiudged high traitors to the Q. and the realme, & being therof lawfully indicted and attainted

Geuing or taking absolution by any Bulles from Roome.

Obtayning of Bulles from Roome.

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ꝛcording to the course of ẏ lawes of this realme shal suffer death, and forf.al their lands hereditaments ꝛc.& cattels ꝛc.13.El.2.

3 ¶Al and euery aidors,comforters, or mainteiners of any ẏ said offendors,after the cõmiting of any of the said acts or offices, to the intent to set forth,vphold,or allowe the doing, or execution of the said vsurped power, concernynge the premisses, or any part thereof,shal incurre the paines & penalties contained in the statut of Premunire,made 16.R.2.13.El.2. The forf. of the aidors, comforters & maintainors.after the offences committed.

4 ¶If any person to whome any such absolution,reconciliatiõ, bul,writing,or instrumẽt shalbe offered,or perswaded to be vsed, put in vre,or executed,shal conceale the same offer,or perswasion, and not disclose it by writing, or otherwise,within vi. weekes thẽ next following,to some of the Quẽnes priue Counsel,or els to ẏ President, or vice President,of the Quẽnes Counsel established in the North,or in the Marches of Wales,then he shal incurre ẏ penaltie and forfaiture of misprision of high Treason. But no person shalbe troubled for misprysion of Treason,for any offence made treason by this act, other then such as before are declared to be in case of misprision of high treason.13.El.2. Concealing of absolution or bul offered.

5 ¶If any persõ shal at any time bring into this Realme or any the dominions of the same,any tokẽ,or thing called Agnus dei, or any crosses,pictures,beades,or such like vaine and superstitious things from the Bishop or sea of Rome,or from any person or persons authorised,or claiming authoritie by,or from the sayed Bishop or sea,to consecrate,or hallowe the same,if the same persõ shal deliuer,or cause or offer to be delinered the sãe,or any of thẽ,to any subiect of this Realme,or of any the dominiõs of the same, to be worne or vsed in any wise, then aswel the same personne so doyng, as also euery other person which shall receiue and take the same to the intent to vse or weare the same,beeinge thereof lawfully connicted and attainted by the order of the common lawes of this Realme, shall incurre into the daungers,penalties, and forfeitures ordained by the statut of Premunire and Prouision made 16.R.2. Sauing to euery person, and body politike their heires & successors(other then the offendors,& their heires,& such as claime by their vses)al such rights,titles,leases,rents,reuersions,offices, fees,hereditaments ꝛc.as they or any of them shal haue the day of committing such offences,or any time before.13.El.2. Agnus dei, Crosses,pictures. Others mens rights saued.

6 ¶If any person to whome any such Agnus dei, or other the things afore said shalbe offered to be delinered, shal apprehend the party so offering ẏ sãe,& bring him to ẏ nert Iustice of peace of ẏ shire where such tender shalbe made(if he shalbe able so to doe)or Apprehending the offendor, or disclosing his name.

for

for lacke of such abilitie, shal within iii. daies next after such offer made, disclose the name, and dwelling place, or place of resort of ỳ perso which shal make such offer, (which he shal endeuer him self to know by al the meanes he can) to the Ordinarie of ỳ dioces, or to any Iustice of peace of that shire, where such person to whom such offer shalbe made shalbe resiant. And also if such personne to whome such offer shalbe made, shall happen to receiue any such Agnus dei, or other thing aboue remembred, and shal within the space of one day next after such receipt, deliuer ỳ same to any Iustice of peace within the same shire where the partie so receiuing shalbe then resiant, or shal happen to be, then euery such person or persons doing any the actes or thinges last aboue mencioned, in forme aboue declared, shal not by force of this statut incurre any daunger or penaltie. 13. El. 2. And the Iustice of peace to whome any such matter shalbee declared, shall disclose the same within xiiij. daies after, to one of the Quéenes priuie Councel, or els hee shall incurre the daunger of Premunire. See Iustice of peace. 100.

¶ Sacraments & Seruice deuine.

Vnreuerent speakig against the Sacrament.

IF any person shal by any contemptuous words, deprane, dispite or contempne the Sacrament of the body and bloud of Christ, or speake against the receiuing thereof, vnder both kindes, or shall aduisedly in any other wise, contempne, dispise, or reuile the same, he shal suffer imprisonment, & make fine at the K. pleasure. 1. Ed. 6. 1. 1. El. 1 S. Iustice of peace. 8.

Refusing to vse commō prayers or to minister the sacraments in due order.

2 ¶ If any Parson, Vicar, or other minister, hauing any spiritual liuing, which ought to sing or say common prayers, or to minister the Sacraments shall refuse to vse the cōmon prayers, or to minister ỳ sacramēts in such places as he should vse to minister the same, in such order and forme, as they be set forth in the booke of common prayer &c. authorized by parliament. An. 5. & 6. Ed. 6. with certaine additions &c. or shal wilfully, or obstinatly standing in the same, vse any other right, ceremony, order, forme, or maner of celebrating the Lords supper, openly, or priuily, or administration of the Sacraments, Mattens, Euensong, or other open prayers, (vz. such prayer as others be to come vnto) then is mencioned and set forth in ỳ said booke: Or shal preach, declare, or speake any thing in deprauinge of the said booke or of any thing therein contained, or of any part thereof, and shalbe thereof conuict, according to the lawes, by verdict of xii. men, his owne confession, or by the notorious euidence of the fact, he shal for the first offence forf.

to

to the Quéene one whole yeres profit of al his spiritual promotyons, & be imprisoned vi. Monethes without baile or mainprise, for the second offence, being once before conuicted, shalbe depriued of al his spirituall promotions, and be imprisoned xij. Monethes &c. and being twice conuict, shal for the third offence bée imprisoned duringe hys life, besides depriuation of all hys spirituall liuinges. 1. Eliz. 2.

3 ¶ If the partie offending, & being conuict in forme aforesaied, haue no spirituall liuings, he shal for his first offence be imprisoned one whole yere, & for the second, during his life. 1. El. 2. An offendor hauing no spirituall liuing.

4 ¶ Whosoeuer shal in any Enterludes, plaies, songs, rimes, or by open wordes speake any thinge in the dispising, deprauing, or derogation of the same booke of common praier, or of any thing therein contained, or any part thereof: Or shal by open act, deed, or threateninges, compel, procure, or maintaine, any Parson, Vicar, or Minister in any Church, Chappel, or other place, to sing or say any commō or open praier: Or to minister any sacramēts in other forme then is mencioned in the said booke, or shal interupt any Minister &c. in any Church, or other place to sing or say cōmō praier, or to minister any of ẏ sacramēts, in such forme, as is mēcioned in ẏ said booke, shal forf. to ẏ K. for his first offēce C. marks, and being once conuict, shal forf. for his second offence CCCC. marks, and being twice conuict, shal forf. for the third offēce al his goods and cattels, and also suffer imprisonment duringe his life, & he which for his first offence doth not pay the C. marks within vi. weekes next after conuiction, shal for the same offence, in stead of the sayde summe, suffer imprisonment fiue monethes without baile or mainprise, & he which doth not pay the CCCC. marks within vi. weekes next after his second conuiction, shall in steade therof be imprisoned xii. moneths &c. 1. El. 2. Deprauing of the booke of cōmon praier, or procuring other cōmon praier.

5 ¶ Euery person hauing no reasonable excuse to be ablēt, shal resort to his parish Church or chappel, or (vpon reasonable lett) to some place where the cōmon praier shalbe vsed, vpon euery Sunday, and other daies ordeyned and vsed to be kept as holy dayes, & then and there shal abide orderly and soberly duringe the time of common praier, preachinges, or other Gods seruice, vppon paine of forf. for euery offence xii. d. to be leuied by distres of his goodes, &c. by the Churchwardens, to the vse of the poore of the same Parishe, and also shalbée punished by the Censures of the Church. 1. El. 2. Euery person shal resort to the Church.

6 ¶ No person shalbe impeched or molested for any of the offences aboue mencioned, vnles he be indicted at the next generall Sessions Within what time the offendor shalbe indicted.

Sessions holden before any Iustices of Oyer & ter. or Iustices & assise, next after any such offence committed. 1. El. 2.

Who may inquier of, & punish the foresaid offences.

7 ¶ Iustices of Oyer & deter. & Iustices of assise in their general sessions, & the Maior of Londō, & al Maiors, Baliffes, & other head officers of al Cities, Boroughes, & Townes corporat, to the which Iustices of assise do not commonly repaire, haue auctoritie to inquire, heare & determine al offences committed contrarie to any article, contained in this act, within xv. daies after Easter, and .S. Michael, & to make proces for the execution of the sāe, as they may do against any person indicted before them of trespas. And euery Archbishop & Bishop may at al times associat him selfe to ỹ said Iustices &c. at euery their general Sessions holden wīin his diocs for ỹ inquirie, hearing & determining of the said offences. 1. El. 2.

8 ¶ Al Archbishops, Bishops, and euery of their Chancellors, Commissaries, Archdeacons, & other Ordinaries, hauing any peculier ecclesiastical Iurisdictiō, haue power to inquire within their iurisdiction, & take informations, & accusations of al things above mencioned, committed wīin the limits of their Iurisdictiōs, and to punish the same by admonition, excommunication, sequestration, or deprīuation, or other Censures, & proces, as haue bene vsed in the like cases by the Quēenes ecclesiastical lawes. 1. El. 2.

But once punished for one offence.

9 ¶ Whatsoeuer person offēding in the premisses, shal for his first offence receiue punishment of the Ordinarie, hauing a testimonial thereof vnder the said Ordinaries seale, shal not for ỹ said offence be eftsones punished before the Iustices, & econuerso. 1. El. 2.

I Arresting a Minister vvhich is doynge deuyne seruice. See Arrests. 1.

¶ Safecondites.

What thinges be requisit to make safecondits effectual.

IN euery safecondite to be graunted to any person or persons, the names of ỹ owners of the shippes, & of the masters, and ỹ number of the mariners, with the carriage of the Shippes shalbe expressed. 15. H. 6. 3. And if any shipps or vessels charged wīth Marchandise, of any marchants being the Quēenes enemies be taken vpon the Sea by any of the Quēenes liege people, if the maisters, possessors, or Marchants of such shippes &c. haue not within the borde of their shipps &c. at the day of the taking of them, the Letters patents of her safecondite, suerty, or sauegard for such shippes &c. and merchandises, making mencion of the names of the shipps &c. and of the name of the master of the same, or ỹ said letters patents the day of the taking be not inrolled of record in the Chancery, thē ỹ takers and possessors of the goods & marchandises may

con-

euermally enioy & hold them wout makinge any restitutiō of the same. 18. H. 6. 8. And al letters of safecondit graunted to any of ỹ Enrolement of safe condit.
Quēnes enimies, or other which be not inrolled of record in the Chauncery before the deliuery of them to whom they be graūted. Ibidem. 20. H. 6. 1.

3 ¶ If any of the Quēnes subiects doe take any shippes of a- Taking of theis shippes which haue safecondits
ny of the Quēnes enemies loaden with marchandise, not hauing nor showinge such letters of safecondit within the saied shippes at the time of the takinge of them, and do lead them away wyth force to any place within the Realme, they shal not be endamaged for such takinge, if they be ready to make restitution of such ships and marchandises, within reasonable time after notice is giuen to them of sufficient safecondit for the same ships, & marchandise, inrolled in the Chauncery of record, before the taking thereof. 20. H. 6. 1.

3 ¶ If any If the Quēnes subiects attempt, or offend vpon ỹ Restitution to one hauinga safecōdit which is robbed.
sea, or in any port within this Realme vnder her obeisance against any stranger being vpon the sea, or in any port aforesaid, by way of amitie, league, or truce, or by force of the Quēns safecondit or safe gard in any wise, and specially in attachinge of any such straunge person, robbing or spoiling of him, his ship, or any other goods, or against any other persō of her liege people: the Chauncelor of England hath auctoritie, calling to him any of the Justices of ỹ one bench or of the other, vpon a bil or bills of complaint to him made in this behalfe, to make such proces out of the saied Chauncery, as wel against al such offendors to bringe them into the Chauncery there to answere to ỹ parties so greeued in this behalf, as against any other persō or persons, to whose hāds any such person so attached, ship or goods shal come, as for the deliuerance and restitution by them to be made of the same person, shipp, and goodes, as shall seme to the same Chauncelor most expedient. And vpon this proces the said Chauncellor further shal proceede in this matter, if ỹ case do so require, by aduise of any such Justice, to make the straunge so greeued to haue ful restitution of any such person so attached, and of al such ships, & goods, and also of al their costs, expences and losses sustained by them in this behalfe, and therupon to make al manner of execution out of the saied Chauncery in such forme, as shall seeme to the said Chauncelor most expedient for such deliuerance, and restitution to be had, calling to him any such Justice &c. 4. H. 6. 4.

1 That al Aliens being in amitie with the Q. vvhich bring in vitailes shalbe vnder the Queenes safecondite. S. Vitailes. 2.

Al

Diuers sanctuaries taken away.

ALL Sanctuaries and places priuiledged, which haue bene vsed or taken for any sanctuary (except parish Churches, and their churchyards, Cathedral Churches, Hospitals, and Churches Collegiat, and al Chappels dedicated, vsed as parish Churches, and y sanctuaries to euery of them belonging, and except such places and territories, as hereafter be appointed to be places of tuition & priuiledg) shalbe vtterly extinguished for any such liberty or priuiledg of sanctuarie to al purposes &c. 32. H. 8. 12.

Places of Sanctuarie.

2 ¶ These places & Territories hereafter expressed, vz. Welles in the Countie of Somerset, Westminster, Northhãpton, Norwich, Yorke, Darby, Lãcester, (Westchester in the County of Chester, or some other towne or place appointed by proclamation by king Henry the eight as Stafford &c. 33. H. 8. 15.) shalbe allowed, and taken for places of priuiledge, and tuition for terme of life of al and singuler offendors, of whatsoeuer kind euery their offences shalbe, for the which the paines of death should ensue by the lawes of this Realme, other then such as hereafter be excepted. But the said priuiledged places shalbe allowed only within the bounds appointed, and returned into the Chauncery vnder y seales of Commissioners, authorised by commissions vnder the great seale of England, to make perambulations, and to appoint howe farre and where the bounds of euery of the said priuiledged places shal extend, & not els where w̃in the residue of the City or towne where such limits be appointed. 32. H. 8. 12.

The forme of abiuration.

3 ¶ If any pers̃o fly, or resort to any parishe church, cemitorie, or other like hallowed place, for tuition of his life, by occasion of any murder, roberie, or any other felony by him committed, & thereupon confesse any murder, felony, or other offence before the Coroner, wherefore he by the lawes of this Realme heretofore vsed should abiure, and passe out of the same: the same person therepõ shal abiure from al his libertie of this Realme, and from his liberal and frée habitatiõs, resortes, and passages, to and from the vniuersal places of this Realme which appertaine to the libertie of y Quéenes subiects vndefamed, and shal forthwith be directed by the Coroner taking and recording such abiuration to any one sanctuarie being within this Realme, which the same pers̃o wil chose, there to remaine as a sanctuary person abiured during his naturall life, & shalbe sworne before the Coroner vpon his aburatiõ so to do 22. H. 8. 14. But there shal not be at any one time aboue xx. priuiledged persons receiued into any one of the aforesaid priuiledged places. 32. H. 8. 12.

xx. persons in one place.

4 ¶ And the Coroner immediatly after his confession and before

tare his abiuration, shall cause euery such felon or murderer to bee marked with an hote Iron vpon the brawne of the thumbe of the right hand, with the signe of an A. to the intent he may the better be knowne among the Quéenes subiects that he was abiured: and then to geue him his abiuration, and to be vsed in al other thinges as hath ben accustomed. And all Maiors, Bayliffs, & Constables shalbe attendant at the commaundement of the Cozoner, for the due execution thereof, as they will aunswere at their perils to the Quéene for the same. 21. H. 8. 2.

Abiured persõs shalbe marked on the thumbe.

5 ¶ If any person do take any refuge or sanctuarie in any parish church, or churchyard, Cathedrall Church, Hospitall, Church collegiat, or other chappel dedicate commonly vsed as parish churches, or in the Cemitory to any of them belonging, for any offéce (other then such as be hereafter excepted) then he shall & may remaine there by ỹ space of xl. daies as hath ben vsed, vsing him selfe in all points according to the lawes & statutes of the Realme, vnlesse the Cozoner in the meane time repaire vnto him for the taking of his abiuratiõ, in which case vpon repaire of the saide Cozoner, he shal & may abiure to any of the said priuiledged places before named not being full of the number to euery of them appointed, there to remaine during his life, vsing him selfe in such like order in al things as is appointed by the statutes & lawes of this reame, for the good order of sanctuary persons to be obserued within priuiledged sainctuaries. 32. H. 8. 12.

How he shalbe vsed which taketh sanctuary

6 ¶ If any felon, or murderer, that ought to haue any such abiuration, refuse to take his passage out of the said sanctuary, at such time as shalbe limitted vnto him by the said Cozoner, thẽ he shal lose the benefit of the same sanctuary, and be taken out of ỹ same, and committed to prison, and further be ordered for his offence after his merits, without any restitution to sanctuarie for the same. 21. H. 8. 2.

A felõ refusing to abiure.

7 ¶ The officer or gouernour of euery of the sayd priuiledged places and territories, shall dayly call by him selfe, or his deputie, all and euery of the sayd priuiledged persones by their names, and if any of them do make default at three seueral dayes together, and do not personally appeare at any of the sayde three dayes, hauinge no lawfull excuse to the contrarye, then he which maketh default, shall lose the priuiledge of all and euery of the sayd priuiledged places. 32. H. 8. 12.

Personal apparance of sanctuarie persõs, before their gouernour.

8 ¶ If any person do abiure to any of the said priuiledged places according to the puruey of this act, he shalbe vsed, conducted, & brought from constable to constable directly, according to ỹ order

How the abiured person shalbe brought to sanctuary.

of the lawes heretofore vsed for ỹ conducting of abiured persons to their ports after their abiurations, vntil such time as he be brought to the gouernor of the said priuiledged place wherunto he shall to be abiured, or to his deputy. And if at the bringing of him thither, it shall appeare by the register there kept of the names of the priuiledged persons then being in the said priuiledged place, that ỹ sayd priuiledged place is then full of his sayde number of the saide priuiledged persons, being then there lawfully priuiledged: then the gouernor of the saide priuiledged place, or his deputie, shall declare vnto the saide abiured person, and to the officer that conducteth him, that the sayde abiured person may not be there received, for that the sayde priuiledged place is then alreadie full of his number, and thereupon shall commaunde the sayde officer to conduct and deliuer the sayde abiured person to the Constable, or other officer of the next towne adioyning to the saide priuiledged place, leading directly to the nert of the saide other priuiledged places: And the same abiured person so to be deliuered from constable to constable, officer, or officers of euery townеship tẽding toward the same nert priuiledged place, vntill he be thither conducted, and there deliuered, to remaine as is aforesayde. And the gouernour of the said priuiledged place, where such refusall was had, or his deputie, shal make an entrie in the said register of the whole matter, vz. what day and yeare the saide abiured person was brought thither vnto him, and by what officer, and for what cause he did refuse the receiuing of him, and to which of the other sayde priuiledged places the saide abiured person was from thence appointed to be conueyed, and shall before the departure of the saide abiured person, deliuer to him a true copy of the saide entrie, to the intent he may deliuer the same to the gouernor of the said other priuiledged place to the which he shalbe conducted, or to his deputie. And the saide gouernor of the same priuiledged place, if that same place be not then full of his number, shall receiue the saide abiured person, vpon the sight of his saide bill, there to remaine duringe his life as a priuiledged person, according to the purview of this estatut. And like order shalbe alwaies obserued for the conducting of all abiured persones from euery of the said priuiledged places, being full of their number, at the time of the bringing thither of any such abiured person, to the nert other of the said places, vntil the said abiured person be receiued into one of ỹ said priuiledged places, not hauing his full nũber according to ỹ purview of this act. And euery gouernor of the said priuiledged places not doing his duity, according to ỹ purview of this act, and euery constable, & other of the Quẽnes officers refusing

ſuſing to receiue or to conduct ſuch abiured perſon, ſhal forf. to ỳ K. for euery of their defaults in this behalfe. xl.s. 32. H.8. 12.

Loſing of ſanctuary by cõmitting of felony.

9 ¶ If any of the ſaid abiured perſons, within the time he ſhal be in any of the ſaid priuiledged places, as a priuiledged man, commit any felony or other offence, for the which the penaltie of death ſhould enſue by the lawes & ſtatutes of this realme, then he ſhall for euer loſe the priuiledge aſwell of the ſaied place, as of all other ſanctuaries before named. 32. H.8. 12. And it ſhalbe lawful to all & ſinguler Iuſtices of peace, and the high Sherife of the county, or other place where the ſaid ſanctuary is, & to al and ſinguler Maiors Sherifes, and bayliffes of Cities & townes corporat where ſuch sãctuarie is, & to euerie of them, & to the ſeruants & officers of any, or euery of them in their preſence, to take out of the ſame ſanctuarie, euery ſuch ſanctuarie perſon ſo offending, & being indicted of the ſame, and to commit him to the Quéenes Gaole, within the ſhire or libertie where any ſuch indictment is found againſt him, ſafely to be kept till he ſhalbe of the ſame felony, or of the acceſſary to anie ſuch offences, whereof he ſhalbe indicted, conuicted, attaynted or diſcharged by the lawe. viceſimo ſecũdo Henrici octaui. 14. 32. Henrici. 8. 3.

Where one offẽder may twice haue ſanctuary

10 ¶ But if any perſon which was at any time a ſanctuarie perſon for any felony, obtaine the K. pardon, & thereby, or otherwiſe be out of ſanctuary, diſcharged or purged of ỳ offence wherefore he toke ſanctuary, & afterward do cõmit other felony or manſlaughter by chaũce medly, & not murder of malice prepenced, and thereupon againe take ſanctuary, the ſame perſon ſhal haue & enioy the priuiledge of ſanctuary for that his other offence of felonie or manſlaughter by chaunce medlie, as he might haue had before the making of this act. 22. H.8. 14. 32. H.8. 3.

None ſhalbe taken out of sãctuary, before he be examined

11 ¶ If any perſon being in any sãctuary as a ſanctuary perſon, ſhalbe indicted for any felony ſuppoſed to be cõmitted by him going out of the ſame, or any other ſanctuary, & cõmitting ỳ ſame felony whiles he was ſo a ſanctuary perſon, he ſhal not be taken out of the ſame ſanctuary before ỳ he be examined thereof by two of the Quéenes counſail, or by fower Iuſtices of peace of the ſhire where the ſanctuary is, wherein the perſon ſo indicted is reſident, and if within fower dayes after the firſt examination, he do make ſuch proofe as the ſayde examiners ſhall thinke ſufficient, that hée was in the ſanctuarie at the time of the ſayde felony committed, then he ſhalbe ſuffered to remaine in the ſame ſanctuarie, without any ertraction, the ſayde indictment or any thing in this acte &c. notwithſtanding, 22. H.8. 14. 32. H.8. 3.

Sãctuary persõs shal weare badges.

12 ¶ All and singuler persons which shalbe priuileged in any sanctuary, for murder or felony, shal dayly whensoeuer they be wout the house or mansion wherein they haue their lodging, weare a badge, or cognisance, by the gouernor of euery sanctuary assigned, openly vpon their vpper garment, of the compasse in length & bredth of v. inches, vpon paine ỹ whensoeuer any of thẽ beeing out of the saide house, or mansion, wherein he hath his lodging, shalbe taken without the same badge, clerely to lose his priuiledge of sanctuary. And it shalbe lawful to al & singuler the Quéenes subiects, to apprehend euery such offendor being without his badge, & hym to bring out of the sanctuary into the next gaole, there to remayne vnto the next gaole deliuerie, and then to be tried according to the order of the lawe, as though he had neuer ben priuiledged in anie such sanctuarie. 27. H. 8. 19.

Sãctuary persõs shall weare no weapons.

13 ¶ No priuiledged persons at any time shal beare, occupie, or weare vpon them any maner of sword, knyfe, or other weapõ, other then their meate knines, & ỹ same meate knines but at their meales onely, vpon paine as is aboue rehearsed. 27. H. 8. 19.

Abrode before or after sunne.

14 ¶ If any of the said priuiledged persõs shal at any time be foũd or taken out of his lodging before ỹ Sunne rising in ỹ morning, or after ỹ Sunne going downe in the euening, he shal at the first time suffer imprisonment wtin the same sanctuary by ỹ space of ij. daies: & at the second time haue imprisonment by the space of vj. daies: & at the third time (& the same being substancially proued by indifferent proues thereof to be made before ỹ Lord Chauncelor) shal lose his priuiledge of sanctuary. 27. H. 8. 19.

Resisting their gouernours.

15 ¶ If any sanctuary person of prepẽced malice, at any time do rescue, or resist any of ỹ gouernors aforesaide, or their deputies in executing of their office, in taking and imprisoning of any of the persons priuiledged offendinge contrary to the tenor of this acte, then he that shall fortune to make rescues, shalbe taken out of sãctuarie, and shall suffer and bee tryed as a felon in euery thynge. 27. H. 8. 19.

The gouernors of sanctuaries may determine contracts.

16 ¶ The gouernors or their deputie, of any of the same sanctuaries, where any contract of debt vnder xl. s. Trespas, or couenant shalbe made, growe, or be, within any of the said sanctuaries betwene any of the said priuiledged persons, & other inhabitantes within any such sanctuary, haue authoritie to order, iudge, and determine the same, according as it shalbe duely there proued before the said gouernors. 27. H. 8. 19.

These shall not haue the priuiledge of sanctuarie.

17 ¶ No person shal haue the priuiledge of his sãctuary which is an offendor in any kindes of high treason, whatsoeuer they be, nor

nor any of his aydors, consentors, counsailors, nor abbettors. 26. H. 8. 13. Nor any person or persones offending in any treasons. 28. H. 8. 7. Treeson.

18 ¶ Nor which conspireth to take, or keepe from ỹ Quæne, any of her castels, or to distroy any of them, hauinge munition or garded with souldiours for the defence of the realme, and the same by manifest act doth declare. Nor which is an aydor, counsailor, comforter, consenter, or abbettor to any such offendor, knowing thereof. 14. El. 1. S. Castels. 1. Taking the Queens castels

19 ¶ Nor which being a vagabond, & vpon his second cõuiction for his rogish life, is taken by some person into seruice, from whom he departeth within two yeres, Nor he which being twice conuicted as a vagabõd, doth fall ỹ third time, or more often times to a rogish life An. 14. El. 5. S. Vagabonds. 6, 8. Vagabond.

20 ¶ Nor which is attainted, or conuicted of murder of malice prepensed, or of poysoning of malice prepenced, or of breaking any house by day or by night, any person being in ỹ same house, & thereby put in feare, or of robbing any person in, or neere vnto the high way, or of felonious stealig of any horses, geldings, or mares, or of felonious taking of any goods, out of any church or chappel, or being indicted or appealed of any of ỹ said offẽces, & thercupõ found guiltie by verdict of xij. mẽ, or shal confesse ỹ same vpõ his arraignment, or wil not answere directly according to the lawes, or shall stand wilfully or of malice mute. 1. Ed. 6. 12. S. Clergy. 13. Murder. Burglarie.

21 ¶ Nor which doth practice Inuocation, or Coniuration of wicked spirites, or enchantment, witchcraft, charme, or sorcery, whereby any person shalbe killed, or whereby any person shalbee cõsumed, or lamed in his body, or his goods wasted, being once cõuicted of the said second offence before. 5. El. 16. S. Coniuration. 1. Coniuration. Witchcraft.

22 ¶ Nor which is conuicted or condempned of any the offẽces prohibited by the statute prouided against the forging of euidences and writings by any of the waies or meanes limitted in ỹ sayde statute, and doth eftsones commit any of the said offences. 5. El. 14. S. Forger. 4. Forging of euidences.

23 ¶ Nor any souldiour seruing ỹ Quéne in her warres, in amie of her dominions, or on the sea, or beyond the sea, or in Scotland, which departeth without licẽce of the Lieutenant, high Admiral, vice Admiral, warden, or capteine, & in their ablẽce of their Lieutenants. 2. Ed. 6. 2. S. Captaines. 3. Souldiour.

¶ Second deliuerance.

AS soone as returne of the Cattel is awarded to him which did distraine ỹ same, the sherife shalbe cõmaunded by a Judiciall

writ to make returne of the cattel to the party which toke the distresse, in which writ it shalbe expressed, ỹ the sheriffe shal not delyuer them wt̄out a writ making mencion of the iudgement geuē by ỹ Justices, which cannot be without a writ issuing out of ỹ rowles of the same Justices before whom the matter was in suit. And if he which is distrayned do go vnto ỹ Justices, & do desire to haue ỹ same cattel repleuied vnto him againe, he shal haue a iudicial writ that the sheriffe (taking suerty to prosecute the suit, & to returne ỹ cattel or their price, if returne be awarded) shall deliuer vnto him his beasts, or cattel before returned, & he which distrayned, shalbe attached to appeare at a certaine day before the Justices, before whom ỹ suit shalbe determined in the presence of the parties. And if he which repleuied the cattel do make default againe, or for any other cause returne of ỹ distresse shalbe awarded now twice repleuied, the distresse shal for euer remaine irrepleuisable. But if a dystresse be taken of newe, & for a newe cause, the proces vsed in the repleuin shalbe awarded, Westm. 2. 13. Ed. 1. 2.

1 VVhere the auowant in second deliuerance shall recouer damages and costes. S. Damages. 7.

¶ Sevvers.

COmmissions of Sewers &c. shalbe directed in al partes within this realme from time to time for euer (3. Ed. 6. 9.) where & when neede shall require according to the forme & effect hereafter ensuing, to such substancial & indifferent persons as shalbe named by the Lord Chauncelor, & Lord Treasourer of England, and the two chiefe Justices for the time being, or by iij. of them, whereof the Lord Chauncelor to be one.

The forme of the Cōmission of Sewers.

2 ¶ Elizabeth &c. knowe ye that for asmuch as ỹ walles, ditches, bankes, gutters, sewers, gotes, calceis, bridges, streames, & other defences by the coastes of the Sea and marish ground, being & lying within the limits of A. B. or C. in the county, or counties of L. M. or in the borders or confines of the same, by rage of ỹ sea, flowing, & reflowing, & by meane of the trenches of fresh waters descending, and hauing course by diuers waies to the sea, be so dyrupt, lacerat, and broken: And also the common passages of ships, balengers and boates in the riuers, streames, and other fluds wt̄in the limits of A. B. or C. in the countie or counties of L. M. or in the borders or confines of the same, by meane of setting vp, erecting, & making of streames, milnes, bridges, ponds, fishgarthes, mildammes, lockes, hebbing weares, heckes, & fludgates, or other like lettes, impediments, or annoyances be letted and interupted, so that

so that great & inestimable dāmage for default of reparation of the said walles, ditches, bāks, trēches, sewers, gotes, gutters, calceys, bridges, & streames, & also by meane of letting vp, erecting, makīg & enlarging of ỹ said fishgarthes, mildāmes, lockes, hebbing weares, heckes, fludgates, & other like annoyances in times past hath happened, and yet is to be feared that farre greater hurt, losse and damage is like to ensue, vnlesse that spēdy remedy be prouided in that behalfe: We therefore, for that by reason of our dignitie and prerogatiue royal, we be bound to prouide for the safetie and preser-
uation of our realme of England, willing that spēdy remedy bee had in the premisses, haue assigned you, & vj. of you, of the which we will that A. B. & C. shalbe iij. to be our Iustices, to survey the sayde walles, streames, ditches, bankes, gutters, sewers, gotes, calceys, bridges, trenches, milnes, mildammes, fludgats, ponds, lockes, hebbing weares, & other impedimēts lettes & annoyances aforesaid, & ỹ same cause to be made, corrected, repayred, amēded, put downe, or reformed, as cause shal require after your wisdomes and discretions, and therein aswel to ordeine & do after the forme, tenor and effect of al and singuler the statutes & ordinances made touching the premisses, or any of them, as also to inquire by the othes of the honest and lawful men of ỹ said shire or shires, place, or places, where such defaultes or annoiances be, aswel within the liberties as without (by whom the trueth may the rather be knowen) through whose defaultes the said hurtes and dāmages haue happened, and who hath or holdeth any lands or tenements, or cōmon of pasture, or profit of fishing, or hath or may haue any hurt, losse, or disaduantage by any maner of meanes in the said places, aswel neere to the said daūgers, lets, and impedimentes, as inhabiting or dwelling there about, by the said walles, ditches, bankes, gutters, gotes, sewers, trenchers, & other the said impediments, & anoyances: And al those persons, & euery of them, to tare, assesse, charge, distraine, & punish aswel within ỹ metes, limits, & boūdes of old time accustomed, or otherwise, as else where, within our realme of England, after the quantitie of their lands, tenementes, & rentes, by the nūber of acres, and perches, after the rate of euerie persons porcion, tenure, or profit, or after ỹ quantitie of their commō of pasture, or profit of fishig, or other cōmodities there, by such waies & meanes, & in such maner & forme as to you or vj. of you, wherof the said A. B. & C. to be iij. shall seeme most conuenient to be ordayned & done, for redresse & reformation to be had in the premisses. And also to reforme, repaire and amend the sayde walles, ditches, bāks, gutters, sewers, gotes, calceis, bridges, streames, &

Reforming annoyances.

Inquire by whose default the dammages chaunce.

Assessing of the inhabitants.

other the premisses in all places nedeful, and the same as often, and where nede shalbe to make new. And to clense and purge the trenches, sewers, and ditches in all places necessarie. And further to reforme, amend, prostrate, & ouerthrowe all such milles, streames, ponds, lockes, fishgarthes, hebbing weares, and other impedimēts & annoyances aforesaid, as shalbe found by inquisition, or by your surueying & discretions to be excessiue or hurtful. And also to depute & assigne diligēt, faithful, & true kēpers, baylifs, surueyours, collectors, expenditors, & other ministers, and officers, for the saftie, conseruation, reparation, and making of the premisses, and euerie of them, & to heare the accompt of the collectours and other ministers of, & for the receipt, & laying out of the money, that shalbe leuied & paide in & about the making, repairing, reforming & amending of the said walles, ditches, banks, gutters, gotes, sewers calceys, bridges, streames, trenches, milles, ponds, locks, fishgarthes, fludgates, & other impedimēts, & annoyances aforesaid. And to distraine for ỳ arrerages of euery such collectiō, tare, or assesse, as often as shalbe expedient, or otherwise to punish ỳ debtors and detainors of ỳ same, by fines, amerciaments, paines or other like meanes, after your good discretions, & also to arrest, & take as manie cartes, horses, oxen, beasts, & other instruments necessary, & as many workemen & labourers, as for the said workes & reparation shal suffice, paying for the same competent wages, salary & stipend in that behalfe. And also to take such, & as many trees, woods, underwoods, & tymber, & other necessaries, as for the same workes, & reparations shalbe sufficient at a reasonable price, by you, or vj. of you (of the which, we will that A. B. & C. shal be iij) to be assessed or limitted, aswell within the limits and bounds aforesaid, as in anie other place within the said countie or counties, nere vnto the said places: And to make & ordaine statuts, ordinances, & prouisiōs, for time to time as the case shal require, for the safegard, conseruatiō, redresse, correction, & reformation of the premisses, and of euery of them, & the parties lying to the same necessary & behouefull, after the lawes and customes of Romney marshe in the coūty of Kent, or otherwise by any waies or meanes after your owne wisdomes & discretions. And to heare & determine all & singuler ỳ premisses, aswel at our suit, as at the suite of any other whatsoeuer complayning before you, or vj. of you, wherof A. B. & C. shalbe iij. after the lawes & customes aforesaide, or otherwise by any other wayes & meanes after your discretions. And also to make & direct all writs preceptes, warrants, or other cōmaundements by vertue of these presents to all Sheriffes, Baylifes, and all other ministers, officers,

Taking away the impedimēts

Officers for the repaire of annoiances.

Taking of workmen & things necessarie.

Ordinances cōstituted.

Heare & determine offences.

Directing of writs & preceptes.

ters, and other persons, aswell within liberties as without, beefore you, or vi. of you, whereof the said A. B. & C. to be iij. at certaine daies, termes, and places to be prefixed, to be returned & reteined, and further to continue the proces of the same. And finally to do all and euery thing and thinges, as shalbe requisit for the due execution of the premysses, by al waies and meanes after your discretions. And therefore we commaund you, that at certayne dayes and places when & where you, or vi. of you (whereof ỹ sayd A. B. and C. to be iij.) shall thinke expedient, ye do survey the said walles, fences, ditches, banckes, gutters, gotes, sewers, calceys, pondes, bridges, ryuers, streames, watercourses, mylles, lockes, trenches, fishgarthes, sludgates, and other the letts, impedimẽts, and annoyaũces aforesaid, and accomplish, fulfil, heare, and determine all and singuler the premisses in due forme, and to the effect aforesaid, after your good discretions. And all such as ye shall find negligent, gaine saying, or rebelling in the said workes, reparatyons, or reformation of the premisses, or neglygent in the due execution of this our commission, that ye do compell thẽ by distresse, fines, and amerciaments, or by other punishements, waies, or meanes, which to you, or sire of you, (whereof the said A. B. and C. shalbe iij.) shall seeme most expedient, for the spedy remedy, redresse, and reformation of the premisses, and due execution of the same. And al such things as by you shalbe made and ordained in this behalfe, aswell within liberties as without, that you doe cause ỹ same firmely to be obserued, doinge therein, as to our Justices appertayneth, after the lawes and statuts of this our realme and according to your wisedome and discretions. Saued alwaies to vs such fines & amerciaments, as to vs thereof shal belong. And we also commaũd our sherife or sherifs of our said countie or coũties of L. N. that they shall cause to come beefore you or vi. of you (of the which A. B. & C. shalbe iij.) at such daies and places, as ye shall appoint them, such, and as many honest men, of hys or their Baliwike, aswell within the liberties as without, by whom the trouth may best be knowen, to enquire of the premisses, commaũding also al other ministers & officers, aswel within libertie as wout, ỹ they & euery of them shalbe attendant to you, in & about the due execution of this our commission. In witnes &c.

All officers shal be attendant to the Commissioners of Sewers

3 ¶ Euery such person as shalbe named Commissioner in the said commission, after he hath knowledge thereof, shall effectually put his attendance about the execution of the said commission, and beefore he shall take vpon him the execution thereof, he shall take a corporall oth beefore the Lord Chauncellor, or beefore such to whom the

The commissioners duetie.

the Lord Chauncellour, shal direct the Quéenes writ of Dedimus potestatem to take the same, or before the Justices of the peace in ỳ quarter sessions, holden in ỳ shere where such Commission shal be directed. The tenor of which othe hereafter ensueth. 23. H. 8. 5.

The Commissioners othe.

4 ¶ Ye shall sweare, that you to your cunning, witte, & power, shall truely and indifferently execute the authoritie to you given by this commissiõ of Sewers, without any fauour, affection, corruption, dread, or malyce to be borne to any maner person or persons. And as ỳ case shall require, ye shall consent & endeuour your selfe for your part to the best of your knowledge & power, to the making of such wholesome, iust, equall, and indifferent lawes & ordinances, as shalbe made and deuised by the most discrete & indifferent number of your fellowes being in commission with you for ỳ due redresse, reformation, & amendement of all & euery such things as are contayned, & specified in the said commission. And ỳ same lawes & ordinances to your cunning witt, & power, cause to be put in due execution, without fauour, mæde, dread, malice, or affectiõ, as God you helpe &c. 23. H. 8. 5.

The Cõmissioners authority

5 ¶ The Commissioners named in any of ỳ said cõmissions according to the purport & effect of ỳ same commissions, haue authoritie to make & ordeigne lawes, ordinances, & decrees, & further to do al & euerie thinge mencioned in the said cõmission, according to ỳ purport, effect, wordes, & true meaning of the same. And the same lawes & ordinances so made, to reforme, repeale, & amend, & make newe, from time to time, as the cases necessarie shal require in ỳ behalfe. 23. H. 8. 5. And al such lawes, ordinances, & constitutions, as be or shalbe duely made by force of any such commission according to the tenour & effect limitted in any statute made, (before 2. Aprilis, An. D. 1571.) touching commissions of Sewers,

How longe the Cõmissioners decrees shal continue.

& being written in Parchment indented, & vnder ỳ seales of ỳ said commissioners or vi. of them (whereof the one part shall remaine with the Clerke appointed for the commission of Sewers for the time being, & the other in such place as the same commissioners or vi. of them shal appoint) shall without any certificat thereof to be made into the Chauncery & wout ỳ roial assent to ỳ same had, cõtinue in full force & effect, notwithstanding any determination of any such commission by Supersedias vntill such time as the same lawes &c. shalbe altered, or repealed by the commissioners after to be assigned for Sewers in those partes where ỳ same lawes were made, or by vi. of them. 13. El. 9.

Cõmissioners for the County of Glamorgon.

6 ¶ The forsaid act, & al commissions of Sewers to be directed according to the tenour of ỳ same, shal extend & giue authori-

tie

tie, ẏ the cõmissioners therein named for the coũty of Glamorgon, or vi. of them (whereof iij. to be of the Quorum) shal haue ful authoritie from time to time to make such lawes, prouisions, and decrees within the said county of Glamorgon, for the redresse & saueing ẏ grounds there from hurt or distruction by reasõ of sand rysing out of the Sea, & driuen to land by stormes & windes, as they may do by the said former act & commission for ẏ auoyding of the outrageous course of ẏ Sea, or other waters. 1. M. Parl. 2. 11.

7 ¶ If any person being tared to any lot or charge, for any lãds tenements, or hereditaments within the limits of any commission, do not pay ẏ same according to the ordinaunce of the commissioners, hauing power of the execution of the said commission, by reason whereof it shal happen ẏ said Commissioners for lacke of payment of such lot & charge, to decrée, & ordaine the same lãds &c. from the owner thereof & hys heires to any person or persons for terme of yeares, terme of life, in fée simple or in taile, for paymẽt of ẏ same lot & charge: Thẽ euery such decrée & ordinãce so by thẽ made, ingrossed in parchment and sealed, shal bind euery persõ, ẏ at ẏ making of the same decrée, had any interest, in such lãds &c. in ble, possessiõ, reuersiõ, or remainder, their heires & feoffées, & euery of them. 23. H. 8. 5. The Cõmissioners decree shal bind other mens landes.

8 ¶ The same lawes, ordinances, & decrées made by ẏ said cõmissioners or vi. of them by authoritie of the said commissiõ, shall bind aswell ẏ lands, tenements, & hereditaments of the Quéene, as al other persons & their heires, & such their interest as they shal or may haue in any lands &c. or other casuall commodities whatsoeuer, whereunto the said lawes &c. shall in any wise extende, according to ẏ true intẽt of ẏ same lawes &c. 23. H. 8. 5. And al shots, lots, & summes of money to be rated & tared by vertue of such cõmission of Sewers, vpon any of ẏ Quéens lãds &c. for any thinge concerning the articles of ẏ said commission, shalbe gathered & leuied by distres, or otherwise in like maner as shal or may be done in ẏ landes of any other person. And al bils of acquitance signed wt the hand of such collector or receiuor, as shal haue ẏ collectiõ therof by ẏ appointmẽt of ẏ said cõmissioners or vi. of them, shalbe aswel a sufficient discharge to ẏ tenants, fermors, & occupiers of ẏ same grounds so to be charged for ẏ said summe wherewith their groũd shalbe so charged, as also a sufficiẽt warrãt to euery Receiuor, Auditor, & other whatsoeuer officer of ẏ Quéenes &c. for ẏ allowance to such tenant &c. for ẏ same. 3. Ed. 6. 8. The Cõmissioners decree shal bind the Queens and al other persons landes.

9 ¶ No person shalbe cõpelled to be sworne, or otherwise boũd to sit or trauell in execution of any commission of Sewers, vnles he be Cõmissioners shalbe dwelling within the same county.

he be dwelling within the countie, whereof hee shalbe assigned to be Commissioner. 25. H. 8. 10.

Refusal to take the othe.

10 ¶ If any persō assigned to be such commissioner of sewers, being required by such as shall haue auctoritie by the Quēnes writ or otherwise, to receiue the oth aforesaid, doth refuse to take the same oth, or vpō that request made doth not receiue the same, and that refusall or contempt be done in the Chauncery, or returned into the Chauncery with the said writte, hee shal forf. for the same contempt to the Quēene v. marks. And so to lose from time to time v. markes for euery such contempt, as shalbee done or returned into the said Chaūcery against any such person, vnles that he in the same Chauncery doo shew in the said terme wherein such returne shalbe made, sufficiēt cause to be allowed by ỹ Lord Chaūcelor for his excuse in that behalfe. 25. H. 8. 10.

None shal sit, except he be sworne.

11 ¶ If any person do take vpon him to sit by vertue of any of the said cōmissions, not being before sworne in forme as is aforesaid, and according to the tenour of the oth before specified: Or if any person so named & sworne do sitt, not hauing lāds & tenemēts or other hereditamēts in fee simple, fee taile, or for terme of life, to ỹ clere yerely value of xl. Markes aboue al charges, to his owne vse, (except he be resiant & free of any Citie, Borough, or towne corporat, and haue mouable substance of the clere value of one hundred poundes, or els be learned in the lawes of this Realme, & admytted in one of the fower principal Innes of Court for an Vtterbarrester) he shal forf. xl. li. for euery time that he shall attempt so to do, to the K. & J. to be rec. by A. J. &c. wherein no W. &c. E. or P. &c. 23. H. 8. 5.

Of what liuing or degree euery Commissioner ought to be.

A farmer of lands chargeable, shal not be commissioner within the same precinct.

12 ¶ No fermour for terme of yeares of any landes or tenements lying within the precincts of any such commission of Sewers, which be or hereafter may be ordered & chargeable by any ordinances or constitutions made or to be made, by vertue of any such commission, wherein he shalbe appointed commissioner (not hauing estate of freehold within the Realme of England in lands or tenements of the yerely value of xl. li.) shall haue power to sitt, or in any wise intermedle with the execution of such commission during the time he shall continue Fermour of any such lands, & shal not haue estate of freehold as is aforesaid. But euery such commission as hauing respect onely to euery such person for such, & so long time as he shal so continue Fermor of any such landes, shalbe adiudged in law to be void, any thing in the said cōmissiō, or any statute &c. notwithstanding. But it shalbe lawful for any commissioner being also a Fermor & not hauing lands &c. to the clere yerely

value

value of xl.li, of freehold to sit by vertue of the sayd commission, & haue his voice, and full aucthoritie with others to make and establish ordinances for Sewers, according to the tenour of the commission, concerninge al lands and tenements within the precinct of euery such commission, other then such lãds &c. as he for ỳ tyme being shal hold & inioy as farmor, as he might haue done before ỳ making of this stat. 13. El. 9.

13 ¶If any Accion of trespas, or other sint shalbee attempted against any person for taking of any distres, or any other act doing by aucthoritie of ỳ said commission, or by aucthoritie of any lawes or ordinaunces made by vertue of the same, the defendant therein shal and may make auowrie, cognisance, or iustification for the taking of the same distresse, or other act doinge, touching any of the Premisses, alledging therein that the said distres trespas or other act, whereof the plaintife complayneth, was done by aucthoritie of the commission of Sewers, for lot or tare assessed by ỳ said cõmission, or for such other act or cause, as the said defendant dyd by aucthoritie of the said Commission, and according to the tenour, purport and effect of the act made. 23. H. 8. without any rehersall of any other matter contained in the said act, or any commission, statutes, or ordinances thereupon made, whereupon the plaintyfe shalbe admitted to replie, that ỳ defendant did take the said distres or did any other act or trespas supposed in hys declaration of hys owne wrong, without any such cause alledged by ỳ said def. whereupon the issue in euery such accion shalbe ioyned, to be tried by verdict of xii. men, and not otherwise, as is accustomed in other personal accions. And vpon the triall of that issue, the whole matter shalbe giuen on both parties in euidence, according to the truthe of the same. And after such issue tried for the defendant, or nonsuit of the plaintife after apparance, the same defẽdant shall recouer treble damages by reason of his wrongfull veratiõ in ỳ behalfe, with his costs also in that part sustayned, and that to be assessed by the same Jury, or writte to enquire of damages, as the case shal require. Anno. 23. H. 8. 5.

Auowrie or iustification for distres take by reason of the commission of Sewers.

Damages for the defendant.

14 ¶Euery of the said Commissioners shal haue iiij. s. for euery day that they shal take paine in the execution of this Commission of Sewers. And one Clerke by them assigned, ii. s. for euery day, of ỳ rates, tares, lotts, and waines that shalbe assessed or lost by aucthoritie of the said commission, & to be leuied & payed by their discretions. And the said Commissioners or fyre of them, shall haue aucthoritie to assigne of the same rates &c. such reasonable summes of money to ỳ saied Clerke for writing of bookes, & proces

The Cõmissioners & Clarks wages.

concer-

concerning the premisses, & to the Collectors, Expenditors and such other as shal take paine in the due execution of the said commissiõ, as by ỹ said commissioners or vi. of thẽ shalbe thought reasonable. 23. H. 8. 5.

No certificat of the commission of Sewers.

15 ¶ The said commissioners shall not be compelled to make any certificat or returne of any of the said Commissions, or of any their ordinances, lawes, or doings, by the auctoritie of any the said Commissionz. Nor shal haue any fine, paine, or amerciament sett vpon any of thẽ, or any waies be molested for that cause. But the Clerke appointed for any such Commission shal yerely truely extreat al the Issues, fines, Penalties, forfaitures, and amerciaments that shalbe aunswerable to the Quene &c. And ỹ same extreats shal yerely deliuer into the Eschequer, at such time, & in such maner, as Justices of the peace ought to do, by vertue of their cõmission, vppon paine to forfayt to the Quene &c. for euery default v. li. 13. El. 9.

How long the cõmission shal continue.

16 ¶ Euery Commission of Sewers shal continue in force v. yeares next ensuing the date thereof, vnles the same shalbe repealed, or determined by reasõ of any new commission in that behalfe made, or by Supersedeas (for ỹ Quene shall at her pleasure by her writte of Supersedeas out of her Chauncery at any time discharge aswell euery such commission, as euery Commissioner &c. 23. H. 8. 5.) And at al times after the end of v. yeres next ensuing ỹ date or Teste of any commission of Sewers, al such lawes, ordinãces and constitutions, as were made by vertue of any such commissiõ and written in Parchment indented and sealed (wõut certificat thereof, or the assent Royall to the same had as is aforesaid) shall notwithstanding the determination of any such commission, by ỹ expiration of the terme of v. yeres, likewise continue in force by ỹ space of one whole yeare then next ensuinge. And the Justices of peace of the Shere & Sheres where the same lawes, ordinances, & constitutions are to be executed within their seuerall Cõmissions, & limittes, or vi. of thẽ, (whereof two to be of the Quorum) shal haue auctoritie by the space of one whole yeare next after ỹ expiration of euery such commissiõ, to execute the same lawes, ordinances, and constitutions, & euery of thẽ, in as ample maner as the Commissioners appointed in any cõmission so expired, might or should haue done to all intents, as if the said cõmission had cõtinued in force. But if any newe cõmission of Sewers shalbe made wõin ỹ said yere, then immediatly frõ & after such cõmission newly made & published, ỹ power of ỹ said Justices of ỹ peace & euery of thẽ in any wise concerning ỹ execution of any such lawes, ordinãces

Justices of peace shal execute the cõmissiõ of Sewers.

ces & constitutions of Sewers shal vtterly ceasse. 13. El. 9.

17 ¶As often as such commission shalbe directed to any persons for ỳ reformation of, or in any of the Premisses specified in ỳ said cõmissiõ, within ỳ fees, liberties, or possession of ỳ Duchy of Lãcaster: Then such Commissioners as shal execute ỳ same, shalbe appointed by ỳ Lord Chaũcellor, & Lord Treasorer of Englãd, & the said ij. chiefe Justices of either Bench, & the Chauncellor of ỳ said Duchy for the time being, or three of them, whereof the said Lord Chauncellor, & the Chauncellor of the said Duchy to be ii. And in euery such case, two commissions shalbe awarded, according to the tenour of the commission aboue expressed, one thereof vnder the great seale of England, & the other vnder the seale of the same Duchy. And as often as such commission shalbe directed to any persons, for ỳ amendement of, or in any of the premisses specified in the said commission, within the fees, liberties, & possessiõs of the principalitie of Wales, the county palantine of Chester, or within ỳ fees, liberties & possessiõs of any other place, where there is libertie & iurisdiction of county palantine. In euery such case ij. commissions shalbe awarded according to ỳ tenour of ỳ cõmission aboue expressed, one thereof vnder ỳ great seale of England, & ỳ other vnder ỳ vsual seale of ỳ coũty palantine, in maner & forme as is aboue prouided for ỳ Duchy of Lancaster. 23. H. 8. 5.

Commission within the Duchy of Lancast.

Commissiõs in Counties Palantine.

18 ¶The Chauncellor, & such other as shal haue ỳ custody of ỳ seales of the said principalitie of Wales, or ỳ County palantine of Chester, or within the fees, liberties, & possessions of any other place, where there is libertie & iurisdictiõ of countie palantine, vpõ reasonable request, & vppon the sight of the commission vnder the great seale, shall without delay make out an other commission vnder the seale of the said countie palantine, according to ỳ tenour of the Quenes commission to them shewed vnder her great seale, & to those commissioners as shalbe named by ỳ Lord Chauncellor, Lord Treasorer, & ỳ two chiefe Justices, or by iij. of them &c. (except it be within ỳ fees & liberties of ỳ Duchy of Lãcaster) wherein ỳ commissioners shalbe named, & commissions made, as is before ordained. 23. H. 8. 5.

19 ¶The said commissions from time to time, as ỳ case shall require, shalbe obtained without any money or other charge to be paied for the seales or writing of the same, vnlesse it be to the K. x.s. vi.d. for the Seale of euery commission, & for the writing & inrolling of any one commission v.s. and not aboue. 23. H. 8. 5. And such & like fees, & none other, nor more shalbe at any time paied or demaũded for any cõmissions, & writts of Dedimus potestatem,

The fees for commissions.

to be

to be sued out vnder the seale of the Duchy, as be mẽcioned in the saied former Act, to be paied in ẏ Chauncery for Commissions, & writtes of Dedimus potestatem, to be obtained from thence &c. Anno. 3. Edwardi. 6. 8.

¶Sheepe.

Transporting of sheepe.

NO person shal bring, deliuer, send, receiue, or take, or procure to be brought, deliuered, sẽt, or receiued into any shippe or bottome, any Rammes, Shẽpe, or Lãbs, or any other kind of shẽpe being aliue, to be conueied out of any of the Quẽnes dominions vpon paine that euery such person, his Aydors, abbettors, procurors & comforters, shal for his first offence forf. to the Q. & I. al his goods for euer, to be recouered &c. wherein no w. &c. E. P. &c. And further euery such offendor shall suffer imprisonment one whole yeare, wout baile or mainprise, and at the yeares end, shal in some open market towne in ẏ fulnes of the market, on the market day haue his left hand cut of, & ẏ to be nealed vp in the openest place of such market. 8. El. 3.

The second offence felonye.

2 ¶And euery person ẽttsons offending against this stat. shal be adiudged a felon and shal suffer death as in cases of felony. But this act shal not extend to any corruption of bloud, or bee prciudiciall to any woman clayming dower, by or from any such offendor. 8. El. 3.

No person shal keepe aboue 2000. sheepe.

3 ¶No person shall kẽpe, occupie, or haue in his possession, in his owne proper landes, nor in the grounds of any other which he shall haue or occupie in ferme, nor otherwise haue of his owne proper cattel in vse, possessiõ, or propertie by any maner of meanes, or couin, aboue ẏ number of two thousand shẽpe at one time, within any part of this Realme, of al sorts & kindes (alwaies accompting vi. score to the C. & x. such hũdreds to ẏ thousand) vpon paine to forf. for euery shẽpe ẏ any persõ shal haue or kẽpe aboue ẏ nũber limitted by this act iij. s. iiij. d. to ẏ Q. & I. &c. to be rec. by I. J. &c. wherin no W. E. P. &c. But Lãbes vnder ẏ age of one whole yere, & almuch as shalbe from the time of ẏ falling of them, vnto ẏ feast of the Natiuitie of S. Jhon Baptist, shall not bee taken for shẽpe prohibited by this stat. 25. H. 8. 13.

Lambes

Sheepe comming by executorship or mariage.

4 ¶If any persõ hauing shẽpe of his owne, happẽ to be made executor, or to be administrator to any person which had shẽpe at his death, or happen to bee maried to any person which shall haue shẽpe at the time of the mariage, by reason whereof the said persõ shall by such meanes haue aboue the sayed number of ii. thousand, then he shall lose no penaltie for hauing aboue the number of ii. M.

shẽpe

shéepe by such meanes, so that within one yere next after such advancement, he doe put to sale, or otherwise dispose so many of the said shéepe so to him aduaunced, or els of his owne sheepe that he had before, so that aboue one yere he shall not kéepe, haue or occupie by any such means, or otherwise by any fraud, any more number of them, then is before limitted, vpon the paine before rehearsed. 25. H. 8. 13.

Sheepe giuen by wil to a child within age.

5 ¶ If any person by his last wil giue to any child within age any number of shéepe, and appoint them by his said wil to be kept by his executors, or by any other person, vntill the foresaid chylde shall come to a certaine age limitted by his will: Then after the death of the testator, the said shéepe so being in the possession of the executours, or of any other person to the vse of any such child within age, for the time that he shalbe limitted to haue the said shéepe by the will of the testator, shall not be accompted against the sayd executors, nor any person so hauing the shéepe, for the intent aforesaid, any of the number of the said sheepe prohybited by this Act. 25. H. 8. 13.

Ech person may keepe vpon his inheritance &c. as many sheepe as he will.

6 ¶ Euery person being the Quéenes temporall subiect, and borne vnder her obeysance, which shall haue or be seised of inheritance, in possession, or in vse, or that shall haue toynter in vse or in possession, or shalbe tenant in dower, or by the curtesie, of, or in any manors, landes, tenements, pastures, féedinges, or libertie of foldage, within any part of this Realme of England, Wales, or the Marches of the same, may haue kéepe and maintaine vpon the same his owne demeine lands, and al other his pastures, féedings, and fold courses, which he so hath, as many his owne shéepe and lambes, in number to his proper behose, as he lawfully myght haue had and kept vpon the same at any time before the makings of this Act. 25. H. 8. 13.

He that keepeth 2000. sheepe vpon his inheritance, shal not keepe any vpon fermes.

7 ¶ In case any such person hauing any such estate in vse, or in possession, of, or in any landes, tenements, pastures, féedinges, or liberties of fold courses, doe kéepe vpon the same the number of 2000. shéepe or aboue, then he shall not in any wise kéepe or haue any shéepe aboue the said number of ij. thousand vpon any lands, pastures or féedinges, which he shal haue in ferme, or otherwise, vpon paine of forfaiture for euery shéepe beside the said number of 2000. tij. s. iiij. d. 25. H. 8. 13.

2000. kept vpon demeines & fermes.

8 ¶ In case the sayd demeine landes, tenementes, pastures, feedinges, and liberties of folde courses of any person before rehearsed, suffise not for the féeding, pasturing, and kéeping of two thousand shéepe, then any such person may haue or féede vpon his

ſaid demeſne lands, and vpon his farme holdes (which he lawfullie may haue) to the ſaid number of two thouſand ſheepe, and not aboue, vpon paine of forfaiture for euery ſheepe aboue that number iij.s.iiij.d. 25.H.8.13.

Sheepe for the maintenance of houſe, about 2000.

9 ¶It ſhalbe lawfull to euery perſon keeping a houſhold, to haue from time to time ſuch conuenient number of ſheepe, aboue the number expreſſed in this Act, as ſhalbe neceſſarie for the onely expences of his houſhold, to be prouided, kept and fed, in and vpon his owne lands, or other lands ſuch as he lawfully can prouide for, in farme, or otherwiſe, ſo that he at no time ſhall haue for the expences of his houſhold, or by colour of the ſame, aboue the number to him limitted by this Act, any number of ſheepe, moe then ſhall ſuffiſe for the onely expences of his houſhold for one yeare without fraude or couyn. 25.H.8.13.

Spirituall perſons.

10 ¶It is lawfull for al ſpirituall perſons to keepe ſuch, and as many ſheepe vpon their owne landes, and after ſuch manner, and none otherwiſe, as they might haue done before the making of this Act. 25.H.8.13.

Fold courſes in Norff. & Suff.

11 ¶No Lord, owner, or fermor, of any libertie of fouldcourſes, within any Towne, Tything, Village, or Hamlet, within any of the Counties of Norf. and Suffolke, ſhall take in ferme for terme of yeares, or otherwiſe, any quillet of land or paſture, that is to ſay, any number of acres of land or paſture, appertayning to any other perſon or perſons, lying within the limit, extent or precinct of the ſaid libertie of the ſaid fold courſe, but he ſhall ſuffer the ſaid perſon being for the time owner, or leſſee of the ſaid quillet, to manure and paſture the ſame, and alſo ſuffer the ſheepe of the ſaid owner or fermor of the ſaid quillet, after the rate of the ſame quillet, to goe with the flocke of the owner, fermor, or occupier of the ſaid libertie, paying the cuſtomary charges for the keeping and leading of the ſame, after the rate & vſe of the Countrey there commonly vſed, without any interruption therein to be made by the ſaid owner, fermor, or occupier of the ſaid libertie, vpon paine of forfaiture for euery time that any ſuch perſon hauinge any ſuch quillet that ſhalbe diſturbed of keepinge or paſturing any of his ſheepe ſo to be fed and kept after the rate of his quillet for euery ſuch ſheepe iij.ſhillinges iiij.pence. But this Braunch concerning Quillets ſhall not be auaylable to any owner or occupier of any ſuch quillet, to claime or vſe any ſuch paſture or feeding of ſheepe in any ſuch fold courſes, but onely where the tenantes, owners, and occupiers of any ſuch quillets, haue had or mought haue had heretofore, and of duttie vſed to haue feedinge in the ſaide fold courſes,

courles, by reaſon of their occupations of the ſame quillets and none otherwiſe. And where they haue not vſed ne ought to haue any ſheepe kept within any ſuch fold courſes, by reaſon of the ſaid tenures, the owners, or occupiers of ſuch fold courſes may take ſuch quillets lying within their fold courſes in ferme, agreeinge with the owners, or occupiers of the ſaide quillets for the ſame. 25.H.8.13.

12 ¶No perſon ſhalbe put to any aunſwere, or loſſe of any ſuytayture, by vertue of this Acte at the ſuit of any the Quéenes ſubiectes, by accion, byll, plaint, information &c. except the ſuite be commenced within one yeare next after the offence committed, nor by reaſon of any preſentment, Accion or Inforꝛmation at the Quéenes ſuyte, excepte the ſame bee made for the Quéene within thrée yeares next after the offence committed. 25.H.8.13. Within what time the ſuit ſhalbe commenced.

In vvhat ſorte, at vvhat time, and hovv many sheepe any Purueyours for the Queenes houſe, may take at one time. S. Purueyours 9.

¶Shippes, Shipping.

IT is lawfull to euery of the Quéenes ſubiectes at hys pleaſure to carrye and tranſporꝛt out of this Realme, in the ſhippes or other veſſelles of any of the ſubiectes aforeſaid beinge with croſſe ſailes, all and euery kindes of Herringe, and other Sea fiſhe to be taken vpon the ſeas, by any of the ſayd ſubiectes. And euerie perſon whych ſhall by vertue of this Act, tranſporꝛt any herringe or other Sea fiſhe from any porꝛt or harboꝛough of this Realme, to any place out of the Quéenes dominions, ſhalbe freé from payment of any Subſidie, Cuſtome, or Pondage money for the ſame fiſhe ſo tranſporꝛted, during the ſpace of fiue yeares, from the ende of the Seſſion of the Parliament begon and holden 2. Aprilis, Anno 13. Elizabeth, and from thence to the end of the next Parliament after the ſayde fiue yeares to be ſummoned, and from thence during the Quéenes pleaſure, Anno 5. Elizabeth 5. 13. Eliz. 11. But neyther the Maiꝛ, Burgeſſes, nor inhabitantes of Kingſton vpon Hull ſhall take aduauntage of this Statut, for carrying herringes or ſalted fiſhe to any Portes beyond the ſea. 5. El. 5. Tranſporꝛting of fiſhe taken in Engliſh mens ſhips.

2 ¶It is not lawfull to any perſon in any place within thys Realme to ſett price, make any reſtraint, or take or demaunde tolle, or tare of any ſea fiſhe brought into this Realme, beynge taken by any of the Quéenes ſubiectes, in the ſhippes or other No place ſhalbe ſet, or toll taken of fiſhe taken in Engliſhe mens ſhips.

vessells of the same subiectes, vpon payne to euery person offending contrarie to the meaning hereof, to forfayte the value of the fishe so restrayned, prised, tolled, or taxed, any libertie, custome, graunt, priuiledge &c. notwithstanding. But this Act shall not be prejudiciall to the Maior, Burgesses &c. or any other Officer of Kingston vpon Hull, but euery of them may take all such toll, customes, and summes of money of euery such person as is limited in an Act made 33. H. 8. 33. 5. El. 5.

Conueying in strangers shyps from one port to another.

3 ¶ It shall not be lawfull to any person to cause to be loaden and carried in any bottome, whereof any straunger or straungers borne then be owners, shipmasters, or part owners, any thinges of what kinde or nature soeuer they be, from one Port or Creeke of this Realme, to another of the same Realme, vpon payne to forfait all the goodes so laden or carried, or the value thereof. 5. El. 5.

No frech wine or tholose woad shalbe brought in strāgers shyps

4 ¶ No person shall bring into this Realme of Englande, or any part of the same, any wine comming out of any of the Countries belonging to the Crowne of Fraunce, or any woad called Tholose woad, in any other vessell, but onely in such, whereof some subiect of the Queenes &c. shalbe then onely owner, or part owner, vppon payne to forfayte all Wines and woad brought contrarie to the meaning hereof (according to the meaning of a Statut made 4. H. 7. 10. concerninge Wine of the Duchie of Gascoigne and Guyon,) except that there may be brought into Wales, or any parte within the Countie of Monmouth, Rochell wines. 5. El. 5.

Wine brought in strangers shyps.

5 ¶ But it shalbe lawfull for any person or persons beinge straungers borne, to bringe yearely in any ship or vessell, whereof any straunger or straungers borne shalbe owner &c. into any of the Hauens, Ports, or Townes of the Ile of Man, any wines made in any of the Dominions belonginge to the Crowne of Fraunce, and in any of the same Ports or Townes, to discharge the saide wines so brought, so that there be not brought and discharged by the same straungers, in any such straungers vessells in any one yeare, in, or at the said Hauens, Ports, and Townes, or any of them, aboue C. tunnes at the moste. In like maner, and vpon the same condicion may straungers borne, bringe in straungers shippes any wines made in the dominions of Fraunce, into the hauens, ports, and Townes of Chepstow, and Newport, in the County of Mumouth, and of Cardife, Carnarnan, Bealmaries, and other ports, hauens, and townes of Southwales and Northwales, or any of them, ouer and beside al Rochell wines

heretofore

heretofore allowed in this Acte, to be brought &c. Sauinge to the Quéene, her heires &c. all such duities as she ought to haue for the said wines &c. 5. El. 5. to continue for x. yeares, from the feast of saint Michaell, An. Do. 1564. and from thence to the ende of the next Parliament.

Hoy or plate shall not crosse the Seas.

6 ¶ No Hoy or Plate, whereof any Englishe subiect is owner, from any port, creeke, or place of this Realme of Englande, or any of the dominions of the same, shall trauerse or crosse the Seas, in, to, or from any of the portes beyonde the Seas, with any wares, goods, or merchandize, vpon payne to forfait the same Hoy or plate, with all and euery the munition, tackling, and other necessaries pertayning thereunto, to the Quéene and Informer, to be recouered by action, information &c. wherein no Wager, Essoine, Protection &c. 1. El. 13. 13. El. 15. to continue vntil the end of the next Parliament.

Anchering vpon the sea in fishing time.

7 ¶ No person vsing any ship, boat, or vessell called Catche, Wonger, or Picard, or other vessell of like vse, shall in the time of common fishing vpon the sea costes of Norffolke, and Suffolke, betwene the xviij. day of September, and the xviij. day of Nouember, from Sunne setting to Sunne rising, anker vpon the maine sea, or in the common streame or trade of fishinge, where the fisher men vse to driue, vpon payne to forfait their Catch, Wonger Picard &c. with the tackle and all the fishe in the same or the value thereof, the one halfe to the Quéene, her heires &c. the other halfe to the Bailife, Burgesses, and comminaltie of great Yarmouth, to be imployed to the recompensing damages to the partye, whose Nettes shalbe cut, and to the buylding and repayringe of the decayed Hauen there, and to be taken by way of seysure, or otherwise to be recouered by A. J. &c. 13. El. 11.

1 That a Denizen vvhich shippeth any goodes in a Caricke or Galley, shall pay all Customes, and Subsidies as an Alien. S. Customes 2.

2 That a ship shalbee forfayted vvherein is transported any Fugitiue, Golde or Siluer, vvithout the Queenes licence. S. Fugitiues 1.

3 VVhere, in vvhat case, and in vvhat maner it shalbe lavvful for the ovvner of a Ship or a Shipvvrite to take an Apprentice. S. Laborers 30.

4 At vvhat time and place the Master of a ship shall receyue and discharge his loading. S. Merchants 5. 6.

5 That a Master of a ship shal giue notice to the Customer of his loading, time of departing &c. S. Merchantes 7. 8.

6 That the Master of a Ship shal not permit any Brasse, Mettall &c. to be transported, but shal disclose the same. S. Brasse 3.

7 That a ship shalbe forfaited vvherein is transported Corne Beere, Butter, Cheese, Herring, or vvoode, vvithout licence. S. Corne. 1.

8 In vvhat case a shippe shalbe forfaited, vvherein is transported any Leather, Tallovve, or Ravvhydes. S. Leather. 33.

¶Shiriffes.

A Shirife must haue sufficient lands.

NO man shalbe Shirifke in any Countie, except he haue lands sufficient in the same Countie, to answere the Quéene & her people. 9. Ed. 2. 2. Ed. 3. 5. 4. Ed. 3. 8. 5. Ed. 3. 5.

Such shalbe shirifes as may attende.

2 ¶No Steward or Bailife of any great Lord, shalbe made Shirife, except he be put forth of seruice, but such a Shirife shalbe appointed which may wholly attend to serue the Quéene and her people, Lincoln. 9. Ed. 2.

The shirife shal cõtinue within his Countie.

3 ¶Euery shirife wõin Englãd shal dwel in his proper person wõin his Bailiwike, for the time that he shalbe officer. 4. H. 4. 5.

None shalbe shirife or vnder-shirife aboue one yeare.

4 ¶No Shiriffe, vnder shiriffe, or Shiriffes Clerke, shal remayne in his Bayliwike or office aboue one yeare, and after that yeare, an other fitt and sufficient person shalbe ordayned in his place. 14. Ed. 3. 7. 42. Ed. 3. 9. And none that hath bene Shirife of any Countie one whole yeare, shalbe appointed Shirife of that Countie by the space of three yeres next insuing, if there be any other sufficient of landes and goodes in the same Countie to answere the Quéene and her people. 1. R. 2. 11. (The Vndershirifes, and al other Officers within the Citie of London, the Vndershirife, and all other officers of Shirifes within the shire of the Towne of Bristowe. 6. H. 8. 18. and such Counties in which any persons at the time of the foresaid statut made, vz. 25. Februarij, Anno Do. 1444. were inheritable to the office of Shirife, & the letters Patents made to them of the office of Shirife, vnder shirife, and Shirifes Clerkes onely except. 23. H. 6. 8.) And if any Shirife, Vndershirife, or shirifes Clerke, doe occupie the office of shirife, vndershirife, or shirifes Clerke contrarie to the foresaid statutes, or contrarie to the effect or intent of any of them (except before excepted) then he shall forfait CC. pounde yerely, as longe as he doth so occupie. And euery Pardon made for such offence, occupation, or forfaiture of the summes before recited, shall be voyde. And all Patents to be made of any of the said offices, for terme of yeares, for terme of life, in fée simple, or in fée taile, to any of the Quéenes liege people, (except before excepted) shalbe voide,

holde, notwithstanding any clause or sentence of Non obstante put in such Patentes. And whosoeuer doth take vpon him to re- Patents of ceiue, or occupie the saide office of Shirife, by vertue of any such Shiriswikes. graunte or patentes for terme of yeares, for terme of life, in fee simple, or fee taile, shalbe for euer disabled to be or beare the office of Shirife in any Countie in England. And euery of the Quéns liege people which will, may sue for the said summe forfaited against him which doth forfait the same, an accion of debt in hys owne name, and the Quéne shal haue the moitie of al that which is recouered, and he that sueth the other. 23. H. 6. 8. But euery old Shirife of euery Countie, hath full authoritie aswell lawfully Where a shirife to execute and returne euery writte, precept, or warrant in euery may occupy a- of the Quéenes Courtes of recorde at Westminster deliuered to boue one yere. hym, as to doe and execute euery other thing which to the Office of Shirife lawfullie pertayneth, at all tymes duringe Michaelmas Terme, and Hillarie Terme, vnlesse he be before the same time lawfully discharged of hys occupation of Shirifte, wythout sustayninge any dammage, forfayture, or payne. 12. Ed. 4. 1. 17. Ed. 4. 6.

5 ¶ No Shirife shall let to ferme in any maner his County, The shirife shal nor any of his Bailiwikes, hundredes, nor wapentakes: And the not let his coun- shirife (amongst other Articles compriled in his othe) shalbe from ty nor bailiwikes time to time sworne, that he shal not let his Bayliwike to ferme. to ferme. 4 H. 4. 5. 23. H. 6. 10.

6 ¶ No Shirife, Under shirife, Bailife of fraunchise, nor any other Baylife, by occasion, or vnder colour of hys Office, shal take any other thinge by them selues, or by any other person to their vse, or profitte, of any person by any of them arrested, or attached, nor of any other for them, for the omittinge of any arrest or attachment to bee made by their bodie, or of any person by any of them by force or colour of their Office, arrested or attached, for fine, fee, maynprise, lettinge to baile, or for shewinge any ease or fauour to any such person so arrested, for their reward or profite, but such as followeth, vz. the Shirife twentie The shirife and pence, the Bailife which maketh the arreste or attachment iiij. his bailifs fees pence, and the Gayler (if the prisoner be committed to his warde) for arrests. iiij. pence. 23. H. 6. 10.

7 ¶ The shirife, vnder shirife, shirifes Clerke, steward or bay- The shirifs dutie life of franchise, seruant to bailife, or Cozoner, shall not take by co- for making a lour of his Office, by him selfe, nor by any other person to his vse, copy of a panel. any thing of any person for the making of any returne or panell. And for the copy of a panell iiij. s. 23. H. 6. 10.

Bayling of pri-soners, or persons arrested.

8 ¶The Shiriffes, and all other Officers and Miniſters aforeſaid, ſhal let out of priſon, al maner of perſons by any of them arreſted, or beinge in their ward by force of any writte, bille, or warrant, in any accion perſonall, or by reaſon of any indictment of Treſpas, vppon reaſonable ſuertie of ſufficient perſons having ſufficient within thoſe Counties where ſuch perſons be ſo lett to bayle or mainprize, to kepe their dayes, in ſuch places where the ſayde writtes, bylles, or warrantes doe require, (onely except thoſe perſons which ſhalbe in their warde by condempnation, execution, Capias vtlagatum, or Excommunicatum, ſuertie of peace, and all ſuch perſons which ſhalbe committed to warde by the ſpeciall commaundement of any Juſtice, and vagabondes &c.) But

The Shirife returning Cepi corpus, vel Reddidit ſe.

if the Shirifes returne vppon any perſon Cepi corpus, or Reddidit ſe, they ſhalbe chargeable to haue the bodies of the ſayde perſons at the dayes of the Returnes of the ſaid writtes, billes, or warrantes, in ſuch maner as they were chargeable before the making of this Act. 23. H. 6. 10.

Obligation for appearance.

9 ¶No Shirife, nor none of the Officers, or Miniſters aforeſaid, ſhal take or cauſe to be taken, or made, any obligation for any cauſe aforeſayd, or colour of their office, but onely to themſelues, of any perſon, nor by any perſon which ſhalbee in their warde, by courſe of the law, but in the name of their Office, and vpon condicion written that the ſaide Priſoners ſhall appeare at the day conteyned in the ſaid writtes, bille, or warraunt, and in ſuch places, as the ſaid writtes, billes, or warrants ſhall require. And if any of the ſaid Shirifes, or other Officers aforeſaid, take any obligation, in any other fourme by colour of their Offices, it ſhalbe voyde, And he ſhall take no more for the makinge of anie ſuch obligation, warrant, or precept by hym to be made but iiij. pence. 23. H. 6. 10.

The Shirife of euery Shire ſhall make a deputy in euery Court.

10 ¶Euery of the ſaid ſhirifes ſhall make yerely a deputy of record in the Quenes Courts of Chauncery, kings Bench, common place, & in the Eſchequer, before that they ſhall returne any writtes, to receiue all maner of writs, & warrants to be deliuered vnto them. 23. H. 6. 10. And euery ſhirife of euery of the xij. Counties in Wales, & of the counties palantine of Lancaſter, Cheſter, & the Citie of Cheſter, ſhal haue in the kings Bench, & common place, one ſufficient deputie at the leaſt. 5. Ed. 6. 26. S. Exigent 7.

Forfaytures.

11 ¶All Shiriſes, Vnderſhiriſes, Clerkes, Bailifes, Gaolers, Coroners, Stewardes, Bailifes of franchiſes, or any other, officers or miniſters, which do contrarie to this foreſaid ordinaunce made 23. H. 6. 10. in any point of the ſame, ſhall loſe to the partie

in this

to this behalfe indamaged or grieued, his treble damages, & shall forfeit xl. li. at euery time that any of them, doe the contrarie in any point of the same, whereof the Quéene shal haue the one halfe to be imployed only to the vse of her house, and the partie that wyll sue the other halfe, But the warden of the fléete, and of ỹ Quénes palace at Westminster for ỹ time being, shal not be preiudiced by this ordinance in his duety of his office. 23. H. 6. 10.

Wardés of the fleete, & of the palace at Westminstar.

12 ¶ Sherifes in their turnes and otherwise, when they haue to inquire of malefactors by the Quénes commaũdement or by vertue of their office, shal make such inquisitions of those offendors by xij. lawful men at the least which shal put their seales to those inquisitions (and the roll of the inquisition shalbe indẽted, whereof one part shal remaine with the indictors, and the other with the sherife or other which taketh the Enquest, so that the indictment, shal not be imbesiled 1. Ed. 3. 16) And if the sherifes doe imprison any other then those which be indicted by such inquisitions, they which so be imprisoned shal haue their action of false imprisonmẽt against the sherife as they should haue against any other person which should imprison them without warrant. And the forsayd ordinaunce prouided for sherifes shalbe obserued of euery Bailife of libertie VVI. 2. 13. Ed. 1. 13. But if any indictments or presentmentes shalbe taken before any sherifes of counties, their vnder sherifes, Clarkes, Bailifes or ministers at their Turnes, or lawdaies, They nor none of them haue polwer to attach, arrest, or put in prison, or to leuie any fines or amerciamentes of any person or persons, so indicted or presented by reason or colour of any such Indictmẽt or presentment, nor to take of any such person so indicted or presented any fine or raũsome, but they shal bring and deliuer al such indictments and presentments to the Justices of peace at their next sessions of the peace, that shalbe holden in the countie where such indictments and presentments shalbe taken, And if any of the said shirifes, vnder shirifes, Clerks, Bailifes, & their ministers do not bring, deliuer, & present al such indictmentes or presentments so taken before them in their turnes, or lawdaies, at such sessions of the peace before ỹ said Justices of peace, Then they and euery of them that so shal faile thereof, shal forfayt to the Quéene xl. li. at euerie tyme that they or any of them doth contrarye. 1. Ed. 4. 2.

The order of indictments taken in sheriffes Turnes.

Indictments taken in the shirifes turnes shal be deliuered to the Justices of peace.

13 ¶ The said Justices of peace haue authoritie to award pro ces vpon al such indictmentes and presentments, as the lawe doth require, and in like forme, as if the same were taken before the said Justices in the said county, And also to arraigne, and deliuer all such

Justices shal award proces against those which be indicted in the shirifes turne.

such persons so indicted and presented before the said shirifes vnder shirifes, their Clerks, Bailifes, and ministers, or any of them, in their said turnes or lawe dayes. And euery person which shalbe indicted or presented of Trespas, shall make such a fyne as shall seeme lawfull by the discretyons of the same Justices. 1. Ed. 4. 2.

Estretes redelyuered to the shirife by the Justices.

14 ¶The estretes of the said fines and amerciaments shalbe inrolled, and by indenture deliuered to the said shirifes, vndershirifes, their Clerks, Bailifes, or ministers, or some of them, to the vse and profit of him that was shirife in the said countye, at the time of such indictments, or presentmentes taken. And if any of ỳ said shirifes, their vndershirifes, Clerks, Bailifes, or Ministers, doe arrest, attach, or put in prison, or cause any fine, or raunsome to be taken, or leuie any amerciamcut of any person so indicted, or presented, by reason of any such indictment, or presentment, taken before them at their Turnes, or lawdayes, before ỳ they haue proces from the said Justices of peace, or estrets delyuered out of the said indictments or presentmentes. Then the sayed shirife which so doth, shal forf. C. li. the one halfe to be imployed to the expenses of the Quéenes house, and the other to the partye indamaged which shall haue an A. of debt at the common lawe, and like proces as in an accion of debt, wherein no W. E. P. et. 1. Ed. 4. 2.

15 ¶But this act doth not extend to the shiriffes of London, concerning any indictments or presentments taken within ỳ said Citie, nor to any person which hath graunts of any fines or amerciaments by any letters patents of any of the Quéenes progenitors, bearing date before the 1. day of December. An. 1. Ed. 4. & An. Do. 1461. nor to any person hauing any liberties or franchises by any of the said letters patents or in any other maner by prescription. 1. Ed. 4. 2.

No plaintz shalbe entered but where the pl. or his atturney is present.

16 ¶No sherifes, vndershirifes, shire Clerks, neither any person in their names, nor by their commaundement, shal take and enter any plaints into their bookes, in any mans name, vnles the party plaintife be in proper person present in the courts, or els by a sufficient Atturney or deputy that is knowen to be of good name and disposition. And the same plaintife shal finde pledges to pursue his said plaint, such persons as ar knowne there in that coûtie, and the plaintife shal haue but one plaint for one trespasse, or contract, and if the said shirifes, vndershirifes, shireclerke, take, entre or cause to be entred, any moe plaints then the pleintife suppoſeth that he hath cause of action against the defendaũt: Then the saied shirife,

Plegii de prosequendo.

Shirife, vnder shirife &c. that offendeth, shall forfait for euery default xl.s. to the Quéene and. Jꝛc. to be recouered in the eschequer. And ouer that the Justices of peace in the same coũties, and euery of them, haue auctoritie vpon complaynt made by the partie so vnlawfully greéued, to examine the said Sheriffes, vnder shirifes, or Shireclerke, & plaintifes. And if they or one of them fynde by the exampnatyon default in the sayed Shiriffe &c. in entering of the sayed plaintes deceiptfully for his aduauntage, contrarye to thys Acte: Then the sayed Shirife &c. shalbe conuict and attaynt of the same offence, wythout further inquirie, and he shall forfayte vppon the same exampnation forty shillinges to the Quéene for euerye default, and the sayed Justices that so shall take the exampnation shall certyfie the same within a quarter of a yeare, into the Eschequer, vppon payne of xl.s. 11. H.7.15.

Entering of mo plaintz then the pl. hath cause of action.

Examination by the Justices of peace.

17 ¶The sayed shirifes, vnder shirifes, and shire clearks, shal make or cause to be made a sufficient precept to the bailifes of the hundredes, to attach, summon, and warne the defendants that are in suit, to appeare and answere to ẏ said plaints. And if there be any default in the said bailifes, in warning of the said defendants, or in executing their office, then the same bailifes shal forf. for euery default to the Quéene xl.s. & be attainte thereof by like examinatiõ of the Justices of peace or euery of them, as is before rehearsed. 11. H.7.15.

Execution of precepres by Bailifes.

18 ¶Shirifes, vnder shiriffes, shire Clerkes, and their deputies shal make none estrets, to leuie the sayd Shiriffes amercyaments, vntyl two Justices of peace, (whereof one shalbe of the Quorum,) haue had the view and ouersight of their Bookes, and that the estretes be indented betwirt the said Justices and the said shrifes, and vnder shirifes, and sealed with their seales, ẏ one parte to remaine with the said Justices, and the other part with the said shrifes or vnder shirifes, for the intent to vnderstand if any dysceipt or vntrue demeaning bée in them in making of their bookes. 11. H.7.15.

Two Justices shal viewe the shirifes estrets.

19 ¶Those persons which shalbée gatherers of the same amerciaments, as Bailiffes, or other officers, shalbe sworne by the said Justices, that they shal take no more money then is forfaited and contained in the saied estretes sealed with the seales of the said Justices, vppon the same paine of forfaiture as before is rehersed, thereof the same gatherers to be conuict by examinatiõ of the Justices, or one of thẽ &c. 11. H.7.15. Neither shal any shirife be charged

Bailifes shalbe sworne to gather but what is due.

The shirife shal execute his warrant & no more.

charged to leuie any issues, nor shal leuie any before the same be out of the Eschequer by estrets. And euery man shalbe charged of those issues forfaited, as well as of amerciamentes. And if the shirife wil returne the issues of any recognisor, pledg or mainpernor, which at the time of the returne, was not sufficient to answere the said issues & amerciaments, the shirife him selfe shal answere, and shalbe therwith charged in the eschequer. And if the shirife returne the names of any mainpernor, iuror, or other according to the tenor of the writtes to hym directed, or do returne the names of any pledges, except the same pledges doe therunto consent, hee shall be greeuously punished. 27. Ed. 1. statut. de finibus.

Justices assigned to ouersee the shirifes estretes.

20 ¶The Justices of peace shalbe appointed and named at the general sessiõs after the feast of Saint Michael, by him that is Custos Rotulorum of the saied county, or els by the eldest of the Quorum in his absence, to haue the ouersight and controulment of the said shirifes, vnder shirifes, and shire clerks, and other of the said officers, and of the said sherifes amerciaments. And the said Justices of peace vpon suggestion or information of the ℙ. greued shal make like proces, as in an action of tresspasse against the said shiriffes, vnder shirifes, or shire clerks, & other the forsaid officers mysdemeaning as is aforesaid, for to appeare before them to aũswere to the said suggestion, or information, 11. H. 7. 15.

No sherife shal be Justice of peace in the sãe countie.

21 ¶No person hauing, vsing, or exercising the office of the shirife of any county, or counties, shal exercise the office of the Justice of the peace, by force of any commission, or otherwise, in any countie or counties where he shal bee Shiriffe, duringe the tyme onely that hee shall vse or exercise the sayed Office of Shiriffewyke, and euery act done by authority of any commyssion of the peace duryng the tyme aboue sayed shalbee voyde. 1. ℙ. 1. Parliament 8.

Foure deputies to make replenies.

22 ¶If the shirife of any shire (being no Citie or Towne made shire) do not vvithin two moneths after he hath receiued his patẽt of shirifewicke, appoint and proclaime in the shire towne, iiij. deputyes at the least, one dwelling not aboue xii. miles distant from an other, in the shirifes name to make replenies & deliueraunce of distresses in such maner and forme as the shirife may or ought to do, he shal forf. for euery moneth that he shal lacke such deputies x li. to the K. & J. to be recouered by A. J. &c. wherein no Wil. & ℙ. &c. 1. & 2. ℙ. & ℳ. 12.

23 ¶If any sherife, Eschetor, or other officer of the Queens doe seise the lands, goods or cattels of any man, surmising that he is

is outlawed, because he is of the same name that some other person is which is outlawed, the partie shal haue a writ of Idemptitate nominis, and shal finde suertie to the shirife, or other officer, which hath warrant to seise, to aunswere to the Quéene the value of the goods or cattels, in case he can not discharge him selfe, without any thing therefore paying. And if the shirife or other officer so doth not take the same, the ꝑ. greéued may haue his suit against him, and recouer his double damages. And also the said officer shal receiue greéuous punishments at the Quéenes hands. 37. Ed. 3. 2. And the writ of Idemptitate nominis, is maintenable for the executors of euery testator, as wel as the same acciõ was before maintenable by the person him selfe which was molested by cause or colour of any outlawrie. 9. H. 6. 4.

Wrongful seisure of an other mans lands, or goods.

Idemptitate nominis.

24 ¶ If the cõmissioners, or two of them at the least to whom any commission vnder the great seale of England shalbe directed into any shire within England or Wales, to enquire of any offẽces done contrarie to the statutes made for ỹ maintenance of Tillage. 4. H. 7. 9. 7. H. 8. 1. 27. H. 8. 22. 5. El. 2. or any of thẽ doe direct their precept to the shirife of any county within the limits of their cõmission to warne as manie honest men of his bailiwike as ỹ said commissioners shall appoint to enquire and presentment make of the offences done contrarie to any of the said actes. And if the shirife to whome such precept shalbe awarded, shalbe negligent in seruing of the saied precept, and returning of the same, at time and place appointed in the said precept. Then the commissioners or fowre of them, shal for euery such default, assesse vppon the sherife x. li. and shal estrete the same into the Eschequer. But the sherife, vnder shirife, or his deputie may not enter into any frãchise or libertie to execute the said precept, but make his Mandatum to the baylife therof for the seruing of the same, If which baylife doth not his duetie in the executing of the sãe as ỹ shirife ought to do, he shal forf. x. li. 5. El. 2. 14. El. 11.

Iuries to inquire of the decay of tillage.

25 ¶ Euery sherife in any shire of this Realme, shal doe his diligence to search and knowe by vertue of his office, al defaultes committed by any persons in lacking of stoned trotting horses, contrarie to the statut made. 33. H. 8. as shal happen within the shire where he is shirife. And shal once in the yere, vz. in the terme of S. Michael, certifie the said defaults if any be into the Eschequer by writing vnder his seale, to the intent that proces may be made against the offendors. And euery such certificat of the shirife, shalbe of as good effect against the offendors, as information therof made in the Eschequer. And in case any shalbe conuicted vppon such

Enquire of stoned horses.

such certificat, by confession or tryall, accordinge to the course of the common lawe, then the shirife makinge such certificat shal haue one moitye of the forf. and the Quéene the other. 33. H. 8. 5. Horses. 10.

The shirife shal not seise the goods of a prisoner vntil he be attainted.

26 ¶If any shirife, vndershirife, Eschetor, bailife of franchise, or other person do take or seise the goods of any person arrested and imprisoned, before the same person be conuicted or attainted of felony according to the lawe, or that ỳ same goods be otherwise lawfully forfaited, he shal pay to the p. græued the double value of the goods so taken or seised, to be recouered by A. of debt, wherein no W. E. p. tc. 1. R. 3. 3.

Bailifes of hundreds.

27 ¶Hundredors. vz. bailifes of hundredes, which be knowen & sworne in the ful countie, shal make execution of al writs which come to the shirife and none others (Except it be in the great default or notorious disturbance of the hundredors) and then other persons which be conuenient and sworne, shal make execution, so that the people may alwayes knowe to whom to resort for such execution (sauing the returne of writs to them which of right ought tc.) And the same hundredors shalbe credible persons, and shall haue land sufficient in the same hundred or in the countye where the hundred is, so that they shal not neede to vse extortion, Lincolne. 9. Ed. 2. 2. Ed. 3. 5. 5. Ed. 3. 5. 4. Ed. 3. 8. And the shiriffes shal place such Bayliffes for whom they wyll aunswere. And so shal those Lords which haue hundredes and wapentakes in fée. 14. Ed. 3. 9.

Shirifes bailifes shal not be in that office iii. yeares after

28 ¶They which be shirifes bailifes one yeare shal not be in any such office by the space of 3. yeres next insuing, except ỳ bailifes of those Sherifes which haue inheritance in their Sherifewicke. 1. H. 5. 4.

Counter roles, with the Cororor.

29 ¶The Shiriffe shal haue counter rols with the Coroner, as wel of appeales, as of Enquestes, of attachmentes, and other thinges which do belong to the Coroners office. West. 1. 3. Ed. 1. 10. But no Sheriffe, Constable, Eschetour, Coroner or any other Bailiffe of ỳ Quéenes, shal holde pleas of the Crowne. Magna Charta. 17.

Deliuerance of cattel by the shirife vpō default of the bailife of liberte.

30 ¶Where the shirife ought to returne the Quéenes writt to a bailife who hath right to returne the writ, if the Bailiffe of the franchise do not make deliuerance of cattel impounded after ỳ shirife hath made the returne vnto him, the shirife shal do hys office without delay, vpon paine of forf. of double damages. West. 1. 3. Ed. 1. 17. Marlb. 52. H. 3. 21.

31 ¶All Shiriffes and Bailiffes of liberties and franchises shal

shal truly serue, and execute such proces as shal come to their hãds from the Justices of peace, before whom any presentment shalbe had for any annoyance of Bridges, accordinge to the tenour and effect of the said proces to them directed, wout fauour, affection, or corruption vpon paine to make such fine as shalbe set vpon them, or any of them by the said Justices. 22. H. 8. 5. Executing of proces awarded for the repayringe of bridges.

32 ¶ The Quéene her heyres, and successours, Kinges or Quénes of this Realme shall and may yerely chose, and make for euery of the counties, of Esser and Hertford, Somerset, and Dorset, Warwicke and Leicester, Nottingham & Darby, Dron and Bark. one sufficient and able person to be shirife of the same, in such like manner, as is and hath bene vsed to bée made for any other Countie within this Realme. And euery person which shal be appointed Shiriffe for any of the said counties shalbe accomptable, and vsed in the order of his accompt, and all other thinges and allowaunce to hym made in the Eschequer and all other Courtes, and places, in such manner and fourme, as is commonlye vsed for Shiriffes in lyke cases. Anno 8. Elizab. 16. 13. Elizabeth 22. Shirifewyks deuided.

33 ¶ No Shirife chosen and made of any one of the foresaid counties, shal pay in any court of record for any duytie belonging properly to the office of Shiriffe, any other fees, or charges, then onely the one halfe of the charges and fées which he should be cõpelled to haue paied, if he had bene Shirife of two of the said shires and counties, as before the making of this act was vsed. 8. Eliz. 16. 13. El. 22. But halfe the charges shalbe paied for shirifwikes deuided.

34 ¶ Per sta. 7. H. 2. 6. Euery Shirife of England ought in proper person to make proclamatiõ of the stat. of Winchester prouided. 13. Ed. 1. against homicides, burning of houses, robberies, & other felonies, fower times in euery yere, in euery hundred of hys bailiwike, and by his bailifes in euery market, as wel within lyberties as without.

1 That euery stat. prouided for shirifes shal extend to Bayliffes of liberties. S. Franchises. 1. Bailifes of liberties.

2 For the shirifes duetie in executing the writ of Redisseisin. S. Redisseisin. 2. 3. Redisseisin.

3 For the sherifes duitie in repleuyinge of a distresse, and taking band for prosecuting the suit, and makinge of returne, S. Repleuine. 1. 3. Repleuying a distresse.

4 For the shirifes duetie in recording and certifying of Riots. S. Riots. 1. 3. Riots.

5 For the returnes of Shiriffes and Bailiffe of liberties. S. Returne Returnes.

turne of sherifes.

Estretes. 6 That the shirife must showe to the party indebted the estretes sealed, & vpon the paiment, tot the same. S. Estrets. 1.

Amerciamēts. 7 That amerciaments for insufficient returnes by stevvards or bailifes of liberties, shalbe set vpon their heades, & not vpon the sherifes. S. Franchises. 3.

Attorney. 8 That no vnder sherife, shirifes clerke, receiuor or bailife shal be atturney. S. Atturney. 7.

Coūterfaiting waighes. 9 That shirifes may enquire of counterfaiters of false vvaights & punish them. S. VVaights. 13.

A womans writ 10 VVhat a shirife shal forf. vvhich doth not execute a vvrit to him directed at the suit of a vvoman which is enforced to bee bound by obligation or statut. S. VVomen. 14.

Queenes debtor 11 That the shirife shal discharge his distresse, vvhich can finde him suerty to gree for the thing in demaūd, & that the shirife shal acquit the Q. debtor of that vvhich he hath receiued. S. Accompt to the Queene. 45.

Disseisyn. 12 Hovve the sheriffe shalbe punished, vvhich by coulor of his office doth disseise any man. S. Assise. 4.

Array assises. 13 In vvhat time a shiriffe shal array assises & deliuer the copies. S. Assise. 8.

Escape. 14 What the sheriffe shal forf. vvhich doth suffer an escape or doth take any thing for an escape. S. Escape. 1. 2.

Hawkes. 15 Hovve the shirife shal vse a hauke vvhich is found, taken vp, & brought vnto him. S. Haukes. 2.

Bayling an offendor. 16 For the punishment of the shiriffe vvhich letteth one goe vvhich is not repleuishable. S. Mainprise. 56.

Knights of the parliament. 17 For al the sherifes duetie about the electing & returning of Knights of the parliamēt, Burgesses of the parliamēt, & leuying of their vvages. S. Parliament. 4. 5. 8. 12.

Gaoles. 18 That shirifes shal haue charge of gaols, & of the prisoners therein, and the appointment of gaolers. S. Prison. 4. 6.

Sanctuarie. 19 That a sherife may take out of Sanctuarie any abiured person committing felony. S. Sanctuarie. 9.

Enquire of wast 20 In vvhat case & maner the shirife vpon precepts shal go to inquire of vvast. S. VVast. 3.

Forcible entries 21 That the sherife shal attend vpon a Iustice of peace to arest those vvhich make any forcible entries. S. Force. 4.

Returning Iurors. 22 VVhat iurours, and of vvhat sufficiencie the shiriffe in seueral cases shal returne, and vpon vvhat paine. S. Iurors. 12. 13. 14. 16. 19. 20.

Attachment. 23 The shirife or bailife of liberties duetie in executing and retur-

returning an attachement to him directed by the Iuſtices of peace for the attachment of a Collector or Surueyour of priſons. S. Priſons. 2.

24 In vvhat maner the Sherife ſhal make purueyance for the Queenes horſes & dogs vvithin his countie. S. Purueyours. 10. Purueyours.

25 By vvhom the Sheriſes in VVales ſhalbe appointed, their auctheritie, accompt, courts, fees, &c. S. VVales. 36. &c.

¶Silke.

NO perſon ſhall bring, or cauſe to be brought into this Realme of England to be ſold, any ſilke wrought by it ſelfe, or wt anie other ſtuffe in any place out of this realme, in rybands, laces, girdels, coꝛſes, caules, coꝛſes of tiſſues, or points, vpon paine to forf. to the Q. & any of her ſubiects that wil ſeiſe the ſame al the ſame rybands, laces, &c. in whoſe hands ſoeuer they be found, or the value of the ſame. But it ſhalbe lawful to euery perſon, as wel ſtraũger as other, to bring vnto this realme al other maner of ſilkes, as wel wrought, as rawe or vnwrought, to ſel at his pleaſure, And it ſhal be lawful to al perſons that haue any ſuch rybands, laces, girdles, caules, coꝛſes of tiſſues or points wrought beyond the ſea brought into this land by the Quéenes licence, and to be ſold, to make ſale of the ſame. 19. H. 7. 21. These things wrought of ſilk may not be brought into England.

VVho may vveare any ſilke in or vpon their garments, & who not. S. Apparell.

¶Sope veſſels.

EVery Sopemaker putting to ſale ſope, ſhal cauſe an empty barrel to containe xxvj. gallons or aboue, and not to be in waight aboue xxvj. poundes, a halfe barrel emptie not to waigh aboue xiij. poundes, and to contayne xvj. gallons or aboue, an emptie firkin not to waigh aboue vj. poundes and a halfe, and to containe viij. gallons or aboue of full and iuſt meaſure, vpon paine to forfayt for euery veſſel contrary, three ſhillings ſower pence, viceſimo tertio Henrici octaui. 4.

¶Statutes & Recogniſances.

EVery merchãt that wil be ſure of his debt, ſhall cauſe his debtor to come before the Mayor of London, Yorke or Briſtow, or before ſome chiefe wardẽ of one of theſe, or ſome other good towne thereunto aſſigned by the Quéene, & before the Maior, chiefe warden or other ſufficient men choſen and ſworne thereunto, when the Mayor or chiefe warden can not attende, and before one of Statut mer-chant.

the clerkes thereunto by the Quéene alligned when both cannot attend, and to acknowledge the debt, and the day of payment. And the recognisance shalbe inrouled by the hande of one of the clerkes which shalbe knowne, and the roule shalbe double, whereof one part shall remaine with the Maior or chiefe warden, and the other with the sayde clerke, and one of the clerkes with his owne hād shall write the obligation, to which writing the debtors seale shal be put with the Quéenes seale to that vse prouided, ỹ which seale shall be of two péces, whereof the great péce shal remaine in the custodie of the Maior or chiefe warden, and the other in the custodie of the forsaide clerkes. And if the debtor do not pay the debt at the day to him alligned, the merchant shal come to the Mayor and clerke with his writing obligatory. And if it be found by the roule or writing, that the debt was knowledged, and the day of paimēt expired, the Maior or chiefe warden shal cause the body of the debtor to be apprehended (if he be a lay man) whensoeuer he cōmeth within his iurisdiction, and committed to the prison of the same towne (if there be a prison) and there he shal remaine at his owne costes vntill he hath agreed for the debt, and the keeper of ỹ towne prison shall receiue him by the deliueraunce of the Maior or chiefe warden, and if he shall not receiue him, the keeper of the prisō shal immediatly aunswere the debt, if he hath wherewith, but if he hath not wherewith, he shall aunswere the debt which committed the kéeping of the prison vnto him. And if the debtor can not be found within the power of the Maior or chiefe warden, Then ỹ Mayor or chiefe warden shall send the recognisance of the debt vnder the Quéenes forsayde seale vnto the Chauncery, from whence shall be directed a writte to the sheriffe within whose bayliwicke ỹ debtor may be found, that he shal take his body (if he be a lay man) and kéepe him in safe prison vntil he hath agreed for the debt, and within a quarter of a yeare after he is taken, he shall haue his landes and goods deliuered vnto him, so that with them he may leuie and pay his debt, and it is lawfull for him within this quarter to sell his landes and tenementes to discharge his debt, and his sale shal be good. But if he do not agrée within the quarter, after the quarter of a yeare expired all the goodes and landes of the debtor shall be deliuered to the merchant by a reasonable extent, to holde vntill the debt be fully leuied, & neuertheless the body shall remaine in prison, and the merchant shall finde him bread and water. And if they which do prayse the mouable goodes which are to be deliuered to the credytor, do prayse them at too high a price in fauour of the debtor, and to the dammage of the credytor, the thing prayed shalbe

The seal of the statute.

The debtor imprisoned.

The statut certified into the Chauncery.

Executiō of the debtors lands & goods.

The goods extēded deliuered to the praisors.

shalbe deliuered to them for the price which they haue set, and they shall immediatlie aunswere the creditor his debt. But if the debtor will say that the moueable goodes were solde or deliuered for lesse then they were worth, thereof he shall haue no remedie, for that the goodes were lawfully solde to him that would offer most for the same, for he may reckon it his owne follie which myght haue solde his goodes before the suite commenced, and leuyed the money with his owne handes and would not. And the merchant shal haue in the lande so delyuered to him or to his assignes, suche seysin that he may thereupon bring an assise of Nouel disseysin, if he be put out, and a Redisseysin also as of his freehold, to hold to him and his assignes vntill the debt be payde, and after the debt leuyed and payde, the bodie of the debtor shalbe deliuered with his landes. And in the writtes which shalbe directed out of the Chaũcerie, mention shall be made, that the Sherife shall certifye the Justices of the one benche or the other, at a certayne daye, howe he hath performed the Quenes commaundement, at which day the merchaunt shall sue before the Justices, if he be not satisfied. And if the Sherife returne no writte, or returne that ẏ writ came to late, or that he hath sent to the bayliffes of fraunchises (then the Justices shall do according as is contayned in the statut of Westminster. 2.) And if the Sherife returne that the debtor is not founde, or is a clerke, then the merchant shal haue writtes to all the sherifes where he hath lande, that they shall deliuer all the cattels and tenements of the debtor by a reasonable extent, to holde to him and to his assignes in fourme aforesayde: and neuertheles he shall haue a writte to what sherife he will, to take hys body (if he be lay) and to hold in fourme aforesayd, and the keeper of the prison must keepe him safely, for he shall aunswere the bodie or the debt, and after the debtors landes be deliuered to ẏ merchant, the debtor may well sell his landes, so that the merchant receiue no dammage by the approuement. And the merchants shall haue all their necessarie damages and costes in trauell, suit, delay, and expences allowed vnto them, and if he be a merchant straunger, he shal remaine at the costes of the debtor, for so long time as he tarrieth about the suit of his debt, and vntill the goods of ẏ debtor be sold or deliuered vnto him, And if the debtor do find pledges or suerties after the day passed, the suerties shalbe vsed in all respectes as is aforesayd of the principal debtor, concerning taking of their bodies, leuering of their landes, and other thinges. But so long as ẏ debt may be fully leuied of the moueable goodes of ẏ debtor, the suerties shal receiue no losse. And when the debtors lands

A remedy for tenãt by Statute merchãt beinge put out.

S. Returne of sheriffes. 3.

The debtor not foũd or a clerke

The conisee shal haue his costes and expences.

Suerties.

Of what lands the conisee shall haue execution.

shall be deliuered to the merchant, he shall haue seisin of al ỹ lands which were in the debtors handes the daye of the recognisance knowledged, into whose handes soeuer they do after come, eyther by feoffement or other manner. And after the debt payd, the land and the issues of the lande of those which be debtors by feoffemẽt, shall as well returne agayne to the feoffée, as the other landes to the feoffours. And if the debtor or his suerties dye, the merchant cannot take the body of his heire, but shall haue his lands in form afore saide, if he be of full age, or when he shall be of full age, vntill he hath leuied so much as his debt amounteth vnto. Before the recognisances shalbe inrouled, the penaltie of this statute shal be openly read before the debtor, so that hée shall not after excuse him selfe by ignorance of the paine whereunto he bound him selfe, and ỹ M. shal haue in euery towne where the seale is to maintaine the costs of the Clerke, j.d. of euery pound. Acton Burnel. 11. E.1. de Mercatoribus. 13. Ed. 1. And al recognisances of statute merchant and Acton Burnel, which shalbe knowledged, inrouled, and sealed with the seale appointed to the Citie of Chester before the Maior of the same Citie, in like maner as the Maiors & other officers in the said Citie haue accustomed to take, inroule, and seale, shalbe good & effectual in the lawe. 2. Ed. 6. 31.

No execution of an infants lands

The penaltie of the statute read to the debtor.

Statuts in Chester.

Clerke of the statut shal haue sufficient and dwel vpon his office.

2 ¶ Euery Clerke which shalbe deputed to receiue recognisances in cities & boroughs according to ỹ statut merchant, shal abide in proper person to do his office, & shal haue landes sufficient in the same county whereof he may aūswere al persons if he offend, and if there be any other in such an office, he shalbe remoued, & an other more méete set in his place, 14. Ed. 3. 11.

Execution awarded vpon a statut once shewed in court.

3 ¶ Where a statut merchant is certified into ỹ Chauncerie & thereupon a writ awarded to ỹ sherife, & returned into ỹ Common place, & the statut thereon shewed, howsoeuer ỹ proces after this shewing be discontinued, at what time ỹ party sueth to reōtinue ỹ proces, & to haue execution of the statut merchant, the Iustices of the bench in which the statut was once shewed may vpon the same record award & make full execution of the said statut, wout hauing any other sight thereof after. An. 5. H. 4. 12.

Statute Staple.

4 ¶ Euery Maior of the staple hath authoritie to take recognisances of debts that a man wil knowledge before him in the presence of the constables of the staple, or one of them, & in euery staple there shalbe a seale remaining in the custody of the said Mayor vnder the seales of the same constables, & al obligatiōs which shalbe made vpon such recognisances shalbe sealed with ỹ same seale, paying for euery obligation of C.li. & vnder, of euery poūde ob. & of

euery

euery obligation aboue C.li. of euery pound q. And the Maior of ỹ staple by vertue of the same writing obligatory so sealed, may take & hold in prison the bodies of the debtors after the terme incurred, if they be found wiin the staple, vntil they haue agreed with ỹ Creditor for his debt & damages, & also arrest the goods of the said debtors found within the said staple, & deliuer the said goods to the said creditors according to the very value, or sell them at ỹ best he may & deliuer so much thereof to the creditors as the sume due, & if the debtors cannot be foud within the staple, nor their goods to the value of the debt, that shalbe certified vnto the Chauncery vnder the said seale, vppon which certificat a writ shalbe directed to take the bodies of the said debtors without letting them to baile, & to seyse their landes, tenements, goods, & chattels. And the writs shalbe returned into the Chaūcery, wᵗ a certificat of the value of ỹ said lāds, tenements, goods & chattels, & thereupō due execution shalbe made frō day to day, in maner as is contained in ỹ statut merchant, so ỹ he to whō the debt is due shal haue an estate of freehold in ỹ landes & tenements, which shalbe deliuered vnto him by vertue of this proces, and shal recouer by assise of Nouel disseisin if he be put out. But the debtor shal haue no aduauntage of the quarter of a yeare which is contained in the statut merchant. But if the creditor wil haue no letters vnder the said seale, but wil stand to the faith of the debtor, if after the terme incurred, he demaund his debt, the debtor shalbe credited vpon his faith. 27. Ed. 3. 9. And if any Maior of the staple, do receiue any recognisāce of debt against the forme aforesaid, he shal pay to the K. one halfe of the summe knowleged before him. 15. R. 2. 9. S. 14.

Executiō of the body & goods of the conisor.

The statute certified into the Chauncery.

5 ¶ The chiefe Justice of the kings Benche, & the chiefe Justice of the Common place, & euery of them by him selfe, & in their absence out of the terme, the Maior of the staple at West. & ỹ Recorder of the Citie of London for the time being, iointly together by his or their discretion, haue authoritie to take recognisances or knowledges of euery of the Quenes subiects for the payment of debts, according to such forme as hereafter ensueth.

Recognisāce in nature of the statute staple.

6 Nouerint vniuersi per presentes me, A. B. & C. D. armig. teneri & firmiter obligari Iohāni at Stile in C. li. sterling. soluēdum eidem Iohanni aut suo certo Atturnat' hoc scripto ostendent' hered' vel executoribus suis in tal' fest' &c. prox. futur' post datum presentium, Et si defecero vel defecerimus in solutione debiti predict', volo & concedo, vel sic, volumus & concedimus quod tunc currat super me hered' et executores meos, vel super nos et quēlibet nostrum, hered' et executor' nostros, pena in statuto stapule

The forme of the recognisāce.

de debit' pro merchandisis in eadem emptis recuperand. ordinat' & prouisa. Dat' tali die, An. Regni &c. 23. H. 8. 6.

Sealing of a recognisance.

7 ¶ And euery obligation that shalbe made as is aforesaid & knowledged before any of ỹ said theise Justices, or the said Maior & Recorder, according to this act, shalbe sealed with the seale of the partie or parties that shal recognise or knowledge the same, & also with the Quenes seale ordained for the same, & with the seale of one such of the said Justices, or with the seales of the said Maior & Recorder, & with his or their name or names subscribed ỹ so shall take the same recognisance, or knowledge, & euery of the said two Justices, and the Maior and Recorder shal haue the custody of one such seale, by the Quene appointed, with one like print, scripture, and fashion which shal seuerally remaine with them, to the intent aboue rehearsed. 23. H. 8. 6.

Clerke of the Statutes.

8 ¶ An honest and discrete person assigned by the K. or hys sufficient deputy or deputies, shal make & write al such obligations as shalbe knowledged, and recognised by auctoritie of this acte, and shall cause the same being knowledged & recognised in forme as is aboue said, to be inrouled in two seuerall roules indented, whereof one shal remaine with such of the said Justices, or with the said Maior and Recorder, that so shal take the same recognisance, and the other with the writer thereof, appointed for the same. And the said person appointed for making, writing & inrouling of such obligations, or his sufficient deputie or deputies, shalbe dwelling or abiding in the City of London, vpon paine to forfait for euery time that he and his deputy shalbe absent by the space of two daies x.li. And the said person so appointed or his sufficient deputie or deputies, at the request of the creditours, their executors or administrators shall certifie such obligations as shalbe taken & recognised by auctoritie of this act, into the Chauncery, vnder the seale of the person so appointed &c. 23. H. 8. 6.

Executiõ vpon a recognisance.

9 ¶ Euery person & persons to whom any such obligatiõ shalbe made, knowledged, & inrouled as is aforesaid, their executors & administrators, and the executors and administrators of euery of them, for default of payment of the debts contained in such obligations, shal haue in euery point, degrée, & condition against the sayd recognisor & recognisors & euery of thẽ, their heires, executors and administrators, & ỹ heires, executors, & administrators of euery of thẽ, like proces, execution, cõmoditie & aduantage in euery behalfe, as hath bẽn vsed & accustomed before this time to be had, done or made of & vpon any obligation of the statut of the Staple, & vnder such maner & forme, as is for the same statute of ỹ staple prouided,

paying

paying for such proces and execution to be had, such like fées, as is accustomed for proces & executiõ to be had vpon obligations of the same statut of ỹ Staple, & not aboue. 23. H. 8. 6.

10 ¶ Euery such person and persons that shalbe bounden or otherwise greeued by vertue of any obligation made by authoritie of this act, shall haue their like remedy by Audita querela and al other remedies in the lawe, that they mought haue had in case they had bene bounden by obligation of the statute of the Staple. 23. Henrici octaui 6. Audita querela.

11 ¶ Euery person that shal haue proces for execution to bee had, by realõ of any obligation to be made & knowledged according to this act, shal pay to ỹ M. &c. at the sealing of the saide proces. ob. for euery pound, ỹ shalbe contained in the obligation, whereof execution shalbe required, & not aboue. 23. H. 8. 6. The Queene shal haue ob. in the li. vpon execution sued.

12 ¶ Euery such person & persons that shal haue execution of any lands, tenements, or hereditaments, by reason of any such obligation, made, and knowledged, as is afore saide, and their executors, administrators or assignes, and the executors, administrators, and assignes, of every of them, (if they or any of them be put out, or dissessed) shall haue like remedy in euery condition, as persons hauing execution, in, and vpon any statute of the staple, after execution to them had, may or might haue, by vertue of ỹ said writing obligatory of the statute of the Staple, and execution of the same. 23. H. 8. 6. The remedy for ỹ by recognisãce being disseised.

13 ¶ Euery of ỹ said Justices, & the said Maior & Recorder before whõ any such obligations shalbe recognised, shal take for euerie knowledge of euery one such recognisance iij. s. iiij. d. & not aboue. And the Clerke that shal write, make, & inroule ỹ same. iij. s. iiij. d. And for the certificat of euery one such obligation xx. d. And if any of the said Justices, Maior, Recorder, or Clerke, take of any of the Quéenes subiects aboue the summe or sũmes to thẽ limitted by this statut: Then ỹ said Justices, Maior, Recorder, or Clerke, that shal take cõtrary to the forme aforesaid, shal forfait for euery time so offending, to the M. & J. xl. li. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 23. H. 8. 6. The Justices & Clerkes fee vpon euery recognisance.

14 ¶ No Maior, or Constable of the Staple, for the paymẽt of any summe of money, shal take any knowledge or recognisãce of the sayd statute of the Staple of any of the Quéenes subiectes, vpon paine to forf. to the M. & J. for euery time so offending xl. li. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. But this act is not preiudicial to any Maior & Cõstables of the staple, for any band or writing of ỹ statut of the staple to be taken or received In what cases recognisances by statut staple may be taken.

betwéne Merchãts being frée of the same staple, for merchãdises of ỹ same staple, betwene them lawfully bought & sold. 23. H. 8. 6.

1 In vvhat maner execution shalbe made of lands in vvales, vpon a statute or recognisance. S. VVales. 67.

2 That no statut or recognisance shalbe auoyded by a fained recouery. S. Recoueries. 9.

3 That he vvhich sueth to defete executiõ vpon a statut shall find suerty to the Q. & the party. S. Corpus cum causa. 2.

4 That obligations taken in the court of vvards, shalbe of the same strength as a statut staple. S. VVardes. 27.

5 That al obligations made to the Q. shalbe of the sãe strégth, as a statut staple. S. Accompt. to the Queene. 1.

6 That obligations taken of Ecclesiastical persons for their first fruits, be of the same strẽgth, as a statut staple. S. Ecclesiastical persons, &c. 25.

7 A remedy for the conisee vvhere lands taken by him in execution be recouered. S. Execution. 3.

¶Steele.

IF any person do forge or make any gaddes of Iron, like to the fashion & maner of gaddes of stéele, or do vtter or put to sale any such gaddes of any Iron, he shal forfait for euery gadde so forged, vttered, or put to sale. iiij. ß. to the K. & I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 2. Ed. 6. 27.

¶Suggestion.

IF any man do make a Suggestion to the Quéenes Maiesty, he shalbe sent with the same suggestion to the Lord Chauncelour, Treasourer, & the Quéenes great counsel, & there shal finde suertie to pursue his suggestion, & then proces shalbe awarded against him of whom the suggestion is made without being taken or imprisoned. 37. Ed. 3. 18. & if he which maketh the cõplaint cannot proue his suggestion, he shalbe sẽt to prison, vntil he hath agreed with ỹ party for his damages & slaunder, & after shal make fine and raunsome to the K. 38. Ed. 3. 9. And the Chauncelor of England hath authority to award damages to him, which is troubled in ỹ Chãcery, or in forme aforesaid wrongfully. 17. R. 2. 6.

1 VVhere he vvhich sueth for a prohibition shal make a suggestion & proue the same. S. Prohibition. 10.

¶Surgeons.

Surgeons in London admitted by the Bysshop.

NO person wõin the Citie of London, nor wõin vij. miles of the same, shal take vpon him to exercise & occupie as a Surgeon, except

(except he be first examined, approued, & admitted by the Bishopp of London, or by the Deane of Powles, calling to him iiij. persõs expert in Surgery,) vpon paine of forf. for euery moneth, that any person doth occupie as a Surgeon not admitted nor examined in forme aforesaid v.li. to the K. & J. to be rec. by A. of debt, wherin no W. &c. P. &c. But this act shal not be prejudiciall to the vniuersities of Oxford or Cambridge, or any liberties graũted to thẽ 3. H. 8. 11.

2 ¶ No person out of the said Citie & precinct of vij. miles of ỹ same (except he hath ben approued in the same) shal take vpõ him to occupie as a Surgeon in any Dioces within this Realme, but if he be first examined & approued by the Bishop of the same Dioces, or he beinge out of the dioces by his Vicar generall, either of them calling to them such expert persons in the saied faculti̇e, as they shall thinke cõuenient, & giuing their letters testimoniall vnder their seale to him that they shall so approue, vpon paine of forf. of v.li. for euery moneth ỹ any doth occupy not admitted nor examined in forme aforesaid &c. But this act shal not be prejudiciall to any of the forsaid Vniuersities &c. 3. H. 8. 11. Notwithstanding the forsaid statut it is lawful to euery persõ being ỹ Quẽnes subiect, hauing knowledge & experience of the nature of herbs, rootes, & waters, or of the operatiõ of the same, by speculation, or practise within any part of the Quẽnes Dominions, to practise, vse, and minister in and to any outward sore, vncome, wond, apostemations, outward swelling or disease, any herbe or herbes, ointmẽts bathes, pultes, and implaisters, according to their cunning, experience, or knowledge in any of the diseases, sores, & maladies before said, & al other like to the same, or drinkes for ỹ stone or strãgury, or agues, without trouble or penaltie &c. 34. H. 8. 8. And for asmuch as ỹ sciẽce of Physicke doth cõtaine ỹ knowledge of Surgery, as a speciall member & part of ỹ same: any of ỹ company of Phisitions wiñ ỹ Citie of Londõ being able, chosẽ, & admitted by ỹ Presidẽt & fellowshippe of ỹ Phisitiõs in Londõ, may frõ time to time, aswel wiñ ỹ City of London, or els where wiñ this Realme, practise & exercise ỹ said science of Physicke, in al & euery his members & parts. 32. H. 8. 40.

Surgeons shal be approued by the Bishop of the Dioces.

Helps of outward sores.

The Phisitiõs of Londõ may practise Surgery.

3 ¶ By the statut of. 32. H. 8. 42. It was ordayned that ỹ two seuerall Companies of Barbours, & Surgeons in London, & euery person of them being a frẽman of either of the said companies after the custome of the said City, and their successors, should bẽ from henceforth vnited and made one entire and whole body corporat, and one cominalty perpetuall, which should be called by the name

Surgeons and barbours made one company.

name of maſters or gouernors of ỹ miſterie & cõminaltie of Barbours & Surgeons of Londõ for euer, & by none other name, & by the ſame name to implede, & be impleded before al Juſtices, in all courtes, in al accions and ſuits, & to purchaſe to them & their ſucceſſors, all landes &c. rentes, and other poſſeſſions, and alſo to haue a common ſeale, and by the ſame name to enioy all ſuche landes &c. which the company of Barbours then hadd, and to enioy all benefites, grauntes, fraunchiſes, liberties &c. at any tyme graunted to the ſayed company of Barbours. And that they and their ſucceſſors, ſhall haue the ſerch, ouerſight, punyſhment, and correction, aſwell of freemen, as of forreins, for ſuch offences as any of them ſhall commit agaynſt the good order of Surgerie, as before tyme amongſt the company of Barbours hath bene vſed, and that all perſons of the ſayed company incorporat, and their ſucceſſors, that ſhalbee lawfully admitted and approued to occupy Surgery, (after the fourme of the Statute of 3. H. 8. 11.) ſhallbee exempt from bearinge of armour, or to bee putt in any watches or inqueſtes, (But euery ſuch Surgeon, and Barbour ſhall pay ſuch ſcott and lott, and other charges, as they and their predeceſſors haue accuſtomed to pay within they ſaied Citie.) And that the ſaied Maſters and Gouernors, and their ſucceſſors yearely for euer, after their diſcretyons, at their free lybertie, ſhall and may haue and take wythout contradictyon iiij. perſons condempned, adiudged, and putt to death by the order of the lawes of this Realme for Anotamies, wythsut any further ſuit or labour to bee made to the Quéene &c. for the ſame, and to make inſcityon of the ſame dead bodies, or otherwiſe to order the ſame at their pleaſure for their better knowleige, and experyence in Surgery. And that at tymes accuſtomed, there ſhalbee choſen by the ſame company fower Maſters or Gouernors of the ſame Corporation or company, of the which iij. of them ſhalbe expert in Surgery, and the other two in Barbary, which fower Maſters and euery of them ſhall haue full aucthorytie from tyme to tyme duryng their ſayed office, to haue the ouerſight, ſerch and correctyon of all ſuch defaultes and inconueniences as ſhalbe found amongſt the ſayed company vſing Barbary or Surgery, aſwell of freemen, as forreins and ſtraungers wythin the Citie of London and circuit aforeſayed, after their diſcretyons.

Surgeons exempt from bearing armour, watches, and enqueſtes.

iiij. Anotamies

iiij. gouernors of the corporation.

4 ¶ No perſon wythin the Citie of London, ſuburbes of the ſame, and one myle compas of the ſaied Citie, vſing any Barbary or ſhauing wythin the ſayed Citie, ſuburbes, or one myle

No Barbor in London ſhal vſe Surgery.

circuit

circuit of the same Citie, nor none other for him, or to hys vse, shall occupie any Surgerie, letting of bloud, or any other thynge belonging to Surgery, (drawinge of teeth onely excepted) vpon paine to forfait for euery moneth offendinge to the contrary v.li. to the Quéene. & J. to be rec. by A. J. &c. wherein no W. E. P. &c. 32. H. 8. 42.

5 ¶ Whosoeuer vseth the misterie or craft of Surgery wythin the circuit aforesayed, as longe as hée shall vse the same shall not occupie the craft of Barbary or shauing, neyther by hym selfe, nor by any other for him to hys vse, vppon the paine aforesaid. 32. H. 8. 42. No Surgeon shal vse the craft of Barbary.

6 ¶ All persons vsing Surgery, aswell freémen as forreins & aliens within the said Citie of London, the suburbes thereof, & one mile compas of the said Citie, shall haue an open signe on ỳ strete side, where they shall dwell, that al the Quéenes liege people there passing by, may knowe at al times whether to resort for their remedies in tyme of necessitie, vppon the paine aforesayed, Anno 32. H. 8. 42. Euery Surgeō shal haue a signe at his dore.

7 ¶ No person shall kéepe any shopp of Barbary or shauinge within the Citie of London, (except he bée a freéman of the same corporatiō and company) vpō the paine aforesaid. But it is lawfull to any of the Quéenes subiects not beinge a Barbor or Surgeon to retaine and kéepe in his house, as his seruaunt, any Barbour or Surgeon, which shall and may vse those faculties of Barbery and Surgery or either of them in his Masters house, or elsewhere, by hys Masters lycence or commaundement. Anno. 32. H. 8. 42. None shalbe a Barbor in Lō. don but a freeman. Eche man may keepe a surgeō or barbor for his seruant.

1 That no straunger being a commō Surgeon shalbe interpreted a handy crafts man. S. Aliens. 14.

¶ Suit of Court.

NOne ỳ is infeoffed by déede, shalbe distrained to doe suit in the court of his Lord, wout he be specially bound thereunto by the forme of his déede (onely those except, whose auncestors or they thé selues haue vsed to do such suit &c.) And they ỳ are infeoffed by déed to doe a certaine seruice, as for seruice of so many shillings by yere to be acquited of al seruice, shal not be boūd to do such suits, or other like, cōtrary to ỳ formē of their feoffemēt, Marlb. 52. H. 3. 9.

2 ¶ If any inheritāce whereof but one suit is due, discēd vnto many heires, as to parceners, who so hath Enitiā partē, shal do ỳ one suit for him selfe, & his fellowes, And other coheirs shalbe cōtributory for their porciō for doing such suit, And if there be diuers feoffées of an One suit for seueral coparceners or tenāts.

of an inheritance, whereof but one suit is due, the Lord of the fee shall haue but that one suit, & shall not exact of the said inheritance but one suit, as hath bene vsed to be done before. And if those feoffees haue no warrant or meane which ought to acquite them, then al the feoffees, according to their portion shalbe contributory for doing the suit for them, Marlb. 52. H. 3. 9.

¶ Svvannes.

IF any person or other to his vse, shal haue or possede any marke or game of Swannes of his owne (except he haue lāds & tenements of estate of Freehold, to the yerely value of fiue Markes aboue al yerely charges,) then any other person being ỹ Queenes Subiect, hauinge landes to the yerely value of fiue markes, may seise the sayed Swannes as forfaited to the vse of the Q. and himselfe. 22. Ed. 4. 6.

1 That it is not lavvful to take Svvannes egges out of the nestes See Haukes. 3.

¶ Tayle.

In giftes in taile the donours will shalbe obserued.

IF lands be giuen to a man & to his wife and the heires of their two bodies begotten, with condition that if the said husband & wife doe die without heire of their two bodies begotten, the lande so geuen shall reuert to the donour or his heire. Or if any man geue lād in Franke marage which gift hath a condition annexed (though it be not expressed in the deede of gift) vz. that if the husband and wife doe die without heire of their bodies begotten, the tenemēt so geuen shal reuert to the donour or his heire: Or if a mā geue land to one, and to the heires of his bodie lawfully begotten, in the aforesaid cases, the will of the donour shalbe obserued, according to the forme expressed in his deede of gift, so that they to whō the tenement is geuen vpon condition haue not power to alien ỹ tenement so giuen, whereby the same tenement shal not remaine vnto their issue to whom it was geuen after their decesse, or reuert to the donour or hys heire, if the donee haue no issue, or if he haue issue, and that issue die without issue. Nor the seconde husband of such a woman shall haue any thinge in such land cōdicionally geuen after ỹ death of his wife, by ỹ curtesie of Englād. Nor ỹ issue of ỹ second husband & wife shal haue any inheritāce. But immediatly after ỹ death of ỹ husband & ỹ wife to whō ỹ tenemēt was so giuen, ỹ same shal reuert vnto their issue, or to the donour, or his heire. West. 2. 13. Ed. 1. 1.

1 That a fayned recouerie had against tenant in taile of landes

vvhereof

whereof the reuersion or remainder is in the Q. shal not cõclude the heires. S. Recoueries. 2.

2 Where a fine leuied by tenant in taile, shal conclude the heire in taile, & where not. S. Fines. 14. 17.

3 That lãds entailed shalbe charged to the paymẽt of the debts vvhich the auncestor ought to the Q. S. Accompt. to the Q. 6.

4 VVhere lands entailed shalbe forf. by attainder of high Treason, & vvhere not. S. Forfaiture. 2.

5 VVhat lease made by tenant in taile shall binde his heire. See Leases. 1. 2. Recoueries. 4.

¶Tame Beastes.

Cutting out of Beastes tonges

Whosoeuer doth maliciously, vnlawfully, and willingly cut, or cause to be cutt out, the tonge of any tame beast, of any other persons, the said beast then being in life, shall lose vnto the partie greeued treble damages, to be rec. by A. of trespas, & shal forf. to ỹ K. x. li. for a fine. 37. H. 8. 6.

¶Tenthes.

A tenth reserued vpon abby lands.

Anno. 27. H. 8. 27. It is enacted that vpon al and singuler letters patents to be made vnder the great seale of England, of any manors, lands, tenemẽts, & hereditaments belonging to any of the houses comprised in the act made. 27. H. 8. (prouided for the dissolution of monasteries and other religious houses hauing not landes, rents, or other hereditaments aboue the clere yerely value of CC. li.) to any person or persons, or bodies politike for any estate of inheritance, there should be alwaies reserued to the Kynge hys heires and successors, a tenure by knightes seruice in Capite, and a yerely rent of the tenth part of the yerely value of ỹ landes to be comprised in euery such letters patẽts, according to such rate as the same lãds &c. geuen, shalbe expressed to be of a yerely value in the same letters patents, any thing or clause contained in warrant to the contrary thereof notwithstandinge, & that none auerment shalbe made or admitted by, or for the king, or any other person, that ỹ manors, lãds, & tenemẽts, be of more yerely valus then in the same letters patents shalbe declared.

A remedy for the tenthes detained.

2 ¶Anno 33. H. 8. 39. it is enacted, that if any persõ, or bodie politike, to whome the king hath by his letters patents vnder his greate seale, or seale of the Court of augmentatiõs, geeuen, or shal geeue with reseruation of rent, any lands, tenements, rectories, or other hereditaments, which were or shalbe in the order & suruey of any of ỹ Courts of his Eschequer, Duchy of Lancaster, Augmentations,

tations, surueyors general, Master of ỹ wards & liueries, or Court of the first fruits & tenthes, to be had to them and to their heirs or successors, or for any other estate of inheritãce, or for terme of life or liues, yelding and reseruing to the king his heires or successors, one yerely rent at one certaine day or feast, in ỹ same letters patents expressed, & to be paied in the same Courts, that if the same persõ, body politike, his heires, successors, or assignes, or any of thẽ doe not truely pay vnto the Treasorer, or to the generall or particuler Receiuor of the same seueral courts assigned for the same, to ỹ vse of the king, at the day or feast limitted by the same letters patents, or within three monethes next after, al such summes of money reserued by ỹ same letters patẽts, or make sufficient tender thereof to the said Treasorer, or generall or particuler Receiuor, ỹ then the same person, bodie politike his heires, successors, or assignes, for default of payment thereof, to forf. to ỹ king his heires & successors as much money as the fowerth part of the same rent reserued for one yere doth amoũt vnto, in ỹ name of a paine, aboue ỹ same rent reserued. And if he his heires or assignes doe not pay or tender ỹ rent wtin halfe a yere after the day expressed in the letters patẽts & also ỹ said money forfaited in the name of a paine, then he shall forfait to the king so much money as the moitie of the rent reserued for one yere doth amount vnto, besids the rent reserued, & so forfait for euery halfe yere after, so much money as the whole rẽt reserued for one whole yeare doth amount vnto, for the which rẽt, arrerages, & paine, the said Treasorer & Receiuor may distraine, & the head officer of the Court vpõ certificat, may award forth proces against the offendor for the rẽts & forfaitures. And if any person pay the said tenth, & bring an acquitance, the Treasorer or Receiuor after ỹ receipt thereof shal signe the acquitance, without taking any thing therefore, vpon paine of forfaiture of xl.s. & if ỹ party bring no acquitance, but that ỹ Treasorer, or Receiuor do make and signe one, he shall take but iiij. pence, vpon paine of forf. xl.s. Anno. 33. H. 8. 39.

A confirmatiõ of patents though the tẽth be not reserued

3 ¶ All letters patents made by king H. 8. sithẽce 4. Februarij An. 27. of his raigne, & by king Ed. 6. sithence 28. Januarij, An. 1. of his raigne, of bargaines, sales, gifts, exchaunges, or otherwise, & sealed with ỹ great seale of Englãd, or with ỹ great seale of ỹ Duchy of Lancaster, shalbe good, perfect, & auailable to al intẽts & purposes, according to the said letters patents, the nonage of the said K. Ed. 6. as Duke of Lancaster, the lacke or losse of ỹ particulers, or bill assigned of the patents, or any act, statute, or lawes, for or concerning any tenures, reseruation of rentes, or tenthes, to the contrary

contrary notwithstanding. 7. Ed. 6. 3.

1 VVhich Ecclesiasticall persons shall pay tenthes, & vpō vvhat paine. S. Ecclesiasticall. 28. 29.

2 That tenthes shalbe paied out of the lāds of Colledges, Chaūteries, Freechappels &c. S. Monasteries. 27.

¶Tenure.

ALL landes, tenemēts, & other hereditamēts holden of ỹ Quēene &c. by knightes seruice, socage, or otherwise, as of any of her Dukedomes, Earledoms, Baronies, Castels, manors, lands, tenements, fees, or seignories, which be cōe to ỹ Quēene, or her progenitors, or hereafter shal come to her, her heires, or successors, by meanes of any attainder, conuiction, outlawrie, or of any dissolutiō surrender, or giuing vp of any religious or Ecclesiasticall houses or places, or of any lands, tenemēts, or hereditaments, to any of the said houses or places belōging, shal not be aiudged to any intent to be holden in Capite, or as tenure in Capite. 1. Ed. 6. 4.

No tenure in Capite by reasō of lāds cōming to the Q. by attainder or other title.

2 ¶This act shal not be prēiudiciall to the Quēene &c. concerning any wardship, liuerie, prīmer seysen, fine for alienation, or for any other profit comminge to her from any person holdinge any lands, tenemēts, or other hereditaments of her grace in chiefe as of her person, or of any other her auncient possessions, & being not come to her by any such attainder, conuiction, outlawry, dissolutiō geuing vp, or surrender, as be aboue said. 1. Ed. 6. 4.

Tenure of the Queene in chief as of her perīō.

3 ¶This act shal not geue any libertie or profit to any tenant or owner in fee simple of any lands, tenementes, or other hereditaments, which haue heretofore sued any speciall or general liuery or Ouster le maine, out of the hands of the Quēene, or of any her progenitors, of any lands &c. by what tenure or seruice they were to be holden, or that haue, or shal confesse by any matter of recorde any tenure in chief of ỹ Quēene, but they, their heires and assignes shal haue & hold ỹ same lands &c. in like maner, as they did before ỹ making of this act &c. 1. Ed. 6. 4.

Conclusion of tenure by matter of record.

4 ¶Where any Inquisition, or Office shalbee found by these words or like, Quod, de quo, vel de quibus teneměta prędicta tenentur, iuratores prędicti ignorāt, or else foūd holden of ỹ Quēene per que seruitia ignorant or such like, in such case such tenure so vncertainely found, de quo, vel de quibus prędicta tenementa tenētur ignorant, shall not be taken for any immediat tenure of the Quēene, nor such tenure so founde of the Quēene, per que seruitia ignorant, shall not be taken any tenure in Capite, but in such cases à melius inquirendum shalbe awarded, as hath bene accustomed

Tenures vncertainly found by office.

customed in old time. 2. Ed. 6. 8.

The feoffee shal hold of the chief Lord, & not of the feffor.

5 ¶It is lawfull for euery free man to sell his lands, or tenements, or part thereof at his owne wil, so that he which is enfeoffed shall hold the same land, or tenement of the chiefe Lords of the same fee, by the same seruices and customes whereby his feoffor held before. And if he sell part of his land to any man, the feoffee shall hold immediatly of the chiefe lord, & shalbe forthwith charged with so much of the seruices, as doth or ought to belong to the chiefe Lord for that parcell, according to the quantitie of the land sold, and so in this case the same part of the seruice shal remaine to the Lord, to be taken by the hands of the feoffee, for the which he shalbe attendant to the Lord, according to the quantitie of the lād sold for the parcell of the seruice due. But this Statute extendeth onely to lāds sold which be holden in fee simple, West. 3. 13. Ed. 1. Quia Emptores terrarum.

A tenure in Capite reserued vpon certaine Abbey landes.

6 ¶Anno 27. H. 8. 27. It is enacted that vpon al and singular letters patents to be made vnder the great seale of England of any manors, lands, tenements, and hereditaments (belonging to any of the houses comprised in the act prouided 27. H. 8. for ỹ dissolution of monasteries, & other religious houses hauing not lādes rents, or other hereditaments, aboue the clere yerely value of two hundreth pound, & committed to the surney of the Court of Augmentations to any perso or persons, or bodies politike) for any estate of inheritance, there shalbe alwaies reserued to the king, hys heires and successors a Tenure by knights seruice in Capite, any thinge or clause contained in warrant to the contrary thereof notwithstanding. After by the Statute made 35. H. 8. decimo quarto, and 37. Henrici octaui 20. It was prouided that the said king H. 8. might at his pleasure during a certaine time, reserue vpon his letters patents graunted of certaine lands in the said statuts mencioned, (not exceeding the yerely value of xl. s. which were belonging to any of the forenamed dissolued Monasteries) certaine other tenures, & not in Capite.

The patents of K. H. 8. & Ed. 6. confirmed, notwithstāding the commission of tenures.

7 ¶But by the statute of 7. Ed. 6. 3. It was ordained, that all letters patents made by king H. 8. sithence 4. Februarij. Anno 27. of his raigne, and by king Edward the first, sithence 28. Januarij. Anno. 1. of his raigne, of bargaines, sales, gifts, exchanges, or otherwise, sealed with the great seale of England, or with the great seale of the Duchy of Lancaster, shalbe good, perfect, and auailable to all intents and purposes, according to the saied letters patents, the nonage of the said king Ed. 6. as Duke of Lancaster, the lacke, or losse of the particulers, or bil assigned of the patentes, or any

or any Act, Statut, or lawes, for or concerning any tenures, reservations of rents or tenthes to the contrarie notwithstanding. 7. Ed. 6. 3.

1 VVhat tenure of the Queene doth dravve to her vvardship, and vvhat not. S. Wardes 18.

2 That he vvhich holdeth his landes by nevv Escheat of the Queene, holdeth not in Capite. S. Prerogatiue 8.

3 That ech Coparcener of landes holden of the Queene in Capite, shall haue part of the same lands, and hold by the same tenure. S. Particion 1. Prerogatiue 6.

¶Tyles.

Euery person which shal vse the occupation of making of thack Tyle, roufe tyle, creft tyle, corner tile, or gutter tile, shal make it good, seasonable, able, sufficient, & wel whited and annealed, and the ground whereof any such tile shalbe made shalbe digged and cast vp, before ỹ first day of Nouẽber next before that they shalbe made, and the same earth shalbe stirred and turned before the first day of February then next following, and the same earth before it be put to making of Tyle shalbe truely wrought and tried from stones, and also the baynes called Malyne, or Marle, and Chalke, (lying commonly in the ground neere to the land conuement to make Tile) after the digging of the said ground, whereof any such Tyle shalbe made, shalbe well and truely seuered, & cast from the earth whereof any such Tyle shalbe made. 17. Ed. 4. 4. The preparatiõ of the earth, for the makinge of Tyle.

2 ¶Euery such plaine Tile shall containe in length x. ynches and a halfe, and in breadth vi. ynches and a quarter, and in thicknesse halfe an ynch & halfe a quarter at the least, & euery such roufe tile, or creft tile, shal containe in length xiij. ynches, and the thicknesse of halfe an ynch and halfe a quarter at the least, wyth conuenient deepenes according, and euery gutter tile and couer tyle shal contayne in length x. ynches and a halfe, with conuenient thicknesse, breath, and depth according. And if any person sett to sale any such tile made against the forsaid ordinaunce, then the seller shall forfait to the buyer the double value of the same Tile, and beside shall make fine to the Quéene at her pleasure, and euerie person that feeleth him selfe greeued & will sue, shal haue an accion of debt against ỹ offendors, & the plaintife (if it be found wỉ him) shal recouer his costs &c. wherein no Wi. E. P. F. &c. 17. Ed. 4. 4. The length, breath, and thickness of tile.

3 ¶The Iustices of peace within any Coũty of this Realme and euery of them, haue power to enquire, heare, and determyne the defaults and offences done agaynst this Act, and if it be found Iustices of peace shal heare & determine the offences of tyle making.

or may appeare to the said Iustices, or any of them, by examination, or otherwise by their discretions, that any person hath offended contrarie to this Act, then the same Iustices shall assesse vpon the offendours no lesse fine, then for euery thousand of plaine tile sett to sale contrarie to this Act v. shillings, and for euery hundred of roufe tyle vi. shillinges viij. pence. And for euerie hundred corner tyle, or gutter tyle two shillinges. And if lesse be put to sale or solde, lesse fines shalbe payed therefore, according to the rate thereof by the discretion of the said Iustices, or any of them. 17. Ed. 4. 4.

Serchers of Tyle.

4 ¶ And the same Iustices haue power to call before them, or any of them, such, and so many persons as shall haue best experience or knowledge in the occupation of making of Tile, to search and examine the digging, casting, turning, parting, making, whyting, and annealing aforesaid. And they which so shalbe assigned searchers, shall haue power to make such search. And no person shall put such tile to sale, before it be searched by the said searchers, vpon payne of forfayture of the same. And if the same searchers or any of them doe finde that any person exercising the occupation of tile making, doe offend contrarie to this ordinance, then they shall present such defaults before the said Iustices at their next sessions, & euery such presentment shalbe as effectuall in the law, as the presentment of xij. men. 17. Ed. 4. 4.

The serchers fee & duetie.

5 ¶ And such searchers shal haue of euery Tile maker for euerie thousand plaine tile searched a penny, of euery hundred roufe tile ob. and of euery hundred corner tile and gutter tile a farthing, and the same searchers shall doe their effectuall diligence in thys behalfe, according to thys ordinaunce, vpon payne of forfaiture to the Queene for euery default x. shillinges. 17. Ed. 4. 4. S. Iustices of peace 97.

¶ Tythes, Oblations &c.

A decree for the payment of tithe in London and the liberties.

SUch order and direction as was made and decreed by the Archbishop of Canterburie, and certaine Lordes and knights, to whom aswell the Parsons, Vicars, and Curats, of the Citie and liberties of London, as the Citizens and Inhabitants of the same did compromit, and put themselues, concerning the payment of Tythes, Oblations, and other dueties within the said Citie, and liberties of the same, and is inrouled in the Chauncery of Record, shalbe as an Act of Parliament, and shall bind aswel al Citizens and inhabitantes of the said Citie and liberties, as the Parsons, Vicars, and Curats, and their successors for euer, according to the

purport

purport and intent of the said order and decree, which decree is as followeth. 37. H. 8. 12.

2 ¶ The Citizens & inhabitants of the Citie of London, and liberties of the same, shal yerely without fraud for euer paye their Tythes to the Parsons, Vicars, & Curats of the said City, & their successors after the rate following, vz. of euery x. s. rēt by the yere of all houses, shops, warehouses, sellers, & stables, & euery of them within the said Citie & libertie of the same xvi. d. ob. And of euery xx. s. rent by the yere ij. s. iv. d. & so aboue the rent of xx. s. by yeare, ascending from x. s. to x. s. according to the rate aforesaid. The decree. A house rented at x. s. shall paye xvi. d. ob. for tythe.

3 ¶ Where any lease hath ben, or shalbe made of any dwelling house or houses, shops, warehouses, sellers, or stables by fraud, reteining lesse rent then hath bene accustomed, or without any rent reserving, by reason of any fine paied before hand, or by any other fraud, then the fermor ther of shal pay for his tithes of the same after the rate aforesaid, according to the quantitie of such rent, as the same houses, shops, warehouses, sellers, or stables, or any of thē were last letten for before the making of such lease. Leases reserving no rent or lesse then hath ben accustomed.

4 ¶ Euery owner or inheritour of any dwelling house, warehouse, seller, stable, and shop within the said Citie or liberties, inhabiting or occupying the same him selfe shal pay after such rate of tythe, as is aboue said, after the quantitie of such yerely rent, as the same was last letten for. Owners inhabiting their owne inheritāce

5 ¶ If any person shall take any mease, or mansion place by lease, & the taker ther of, his executors or assignes shall inhabite in part ther of, & shall let out the residue, then the first taker, his executors or assignes shal pay his tithes after the rate aforesaid, according to his quantitie therein. And his assignes shal pay their tithes after the rate aboue said, according to the quantity of their rent by yeare. And if any person shal take diuers mansion houses, shops, warehouses, sellers, or stables in one lease, and shall let out one or more of them, & keepe one or more in his owne handes, & inhabite in the same, then he shall pay his tythes after the rate aboue said, according to the quantitie of the yerely rent of such house or houses retayned in his handes. And his assigne or assignes of the residue shall pay his or their tythes after the rate aboue said according to the quantitie of their yearely rents. Taking seuerall things by lease, and letting part ther of.

6 ¶ If any fermer or his assignes of any mansion house, or houses, warehouses, shops, sellers, or stables, shall let euer all the same contayned in his lease to one or diuers persons: Then the inhabitantes, lessees, or occupiers of them, and of euery of them, shal pay their tythes after the rate of such rents, as the inhabitāts The tenaunt of seuerall houses assigneth all the same.

lessees, or occupiers, and their assignes shalbe charged withal.

A dwelling house made a warehouse, or storehouse, & econuerso.

7 ¶If any dwelling house (within viij. yeares before this decree) was or hereafter shalbe conuerted into a warehouse, storehouse, or such like, or if a warehouse, or storehouse, or such like within the foresaid time was, or shall be conuerted into a dwellyng house: Then the occupiers thereof shall pay Tythes for the same, after the rate aboue declared of mansion house rents.

Dyehouse or Brewhouse with stocke.

8 ¶Where any person shal demise any Dyehouse, or Brewhouse, with implements conuenient for dying or brewing, reseruing a rent vpon the same, aswel in respect of such implements, as of such dyehouse or brewhouse: Then the tenãt shal pay his tithes after such rate, as is aboucsaid, the third peny abated. And where principal house with Key or Wharfe, hauing any Crane or Gibet belonging to the same, shal pay after like rate of their rents, as is aforesaid, the third peny abated. And other wharfes belonging to houses hauing no Crane or Gibet, shall pay for their Tythes, as shalbe paied for mansion houses, in forme aforesaid.

House with Key or wharfe.

A house with other thyngs occupied together & after seuered.

9 ¶Where any mansion house with a shop or stable, warehouse, wharfe with Crane, Timber yard, Teinter yard, or Garden belonging to the same, or as parcell of the same, is, or shalbe occupied together, if the same be after seuered: Then the fermor or fermors, occupier, or occupiers thereof, shall pay such Tythes, as is aboue said for such Shoppes, Stable, Warehouses, wharfes with Crane, Timber yard, Teinter yarde or Garden so seuered, after the rate of their seuerall rents thereupon reserued.

Citizens shall pay their tithes quarterly.

10 ¶The said Citizens and inhabitantes shal pay their tithes quarterly, vz. at the feast of Easter, the Natiuitie of Saint John Baptist, the feast of Saint Michaell the Archangell, & the Natiuitie of our Lord by euen portions.

iiij. Offering dayes.

11 ¶Euery houlholder paying x.s. rent or aboue, shall for him or her selfe, be discharged of their iiij. Offering dayes, but his wife, children, seruant, or others of their familie taking their rightes of the Church at Easter, shall paye ij. pence for their iiij. offering dayes yerely.

A house of x.s. rent deuided into smale parcels

12 ¶If any house which hath bene or shalbe letten for x.s. rent by yeare or more, be, or within viij. yeares before this decree hath bene, or shalbe deuided and lesse into smale parcels, yelding lesse yearely rent then x.s. by yeare: Then the owner (if he dwell in any part of such house) or els the principall lessee, if the owner doe not dwell in some part of the same, shall paye for his Tythes after such rate of rent, as the same house was accustomed to be letten for, before such deuision. And the vnder fermor and fermors

to be

to be discharged of al Tythes for such smale parcels rented at lesse yearely rent then x.s. paying ij.d.ob péce yearely for their lower stringe dayes.

13 ¶ For such gardens as appertaine not to any mansion house, and which any person shall hold in his handes for pleasure, & to his owne vse, the person so holdinge the same shall pay no Tythes for the same. But if any person which shall hold any such garden, contayning halfe an Acre or more, doth, or shall make any yearely profite thereof by way of sale, then he shal pay Tithes for the same after such part of his rent, as is herein first aboue specified: But if any such gardens now (vz. at the time of the decrée made) being of the quantitie of halfe an acre or more, be hereafter by fraud deuided into any lesse quantitie, then to pay Tyth according to the rate aboue said. Gardens.

14 ¶ This decrée shall not extend to the houses of great men, or Noble men, or noble women, kept in their owne handes, and not letten for any rent, which in time past hath payed no Tythes, so longe as they shall so continue vnletten. Nor to any Halles of Craftes, or Companies, so longe as they bee kept vnletten, so that the same Halles in time passe, haue not vsed to paye any Tythes. The houses of noble men and Companies.

15 ¶ This decrée shal not charge any sheedds, stables, sellers, timber yardes, ne Tainter yardes, which were neuer parcel of any dwelling house, ne belonging to any dwelling house, ne haue accustomed to pay any Tithes, but the citizens & inhabitãts therof shalbe quite of payment of Tythes as hath bẽn vsed. Sheds, stables sellers, timber yardes, teinter yardes.

16 ¶ Where lesse sume then after xvi.d.ob. in ỹ x.s. rent, or the ij.s. iv.d. in the xx.s. rẽt hath bene accustomed to be paid for tithes there in such places the said Citizens & inhabitãts shal pay but one after such rate as hath bene accustomed. Lesse by custõ then xvi.d.ob. in the x.s. rent.

17 ¶ If any variance shall arise in the said Citie for non payment of any Tythes, or if any variaunce or doubt arise vpon the true knowledge or diuision of any rent, or tythes within the liberties of the said Citie, or of any extent or assessement thereof, or if any doubt arise vpon any other thing cõtained within this decrée: Then vpon complaint made by the partie greéued, to the Maior of London for the time being, the said Maior by the aduise of Counsell, shall call the said parties before him, and make a finall ende in the same, with costes to be awarded by the discretion of the sayd Maior and his assistants, according to the true intent of this decrée. And if the said Maior make not an ende thereof within two monethes after complaint to him made, or if any of the said parties A meane to end contention that may arise vpon demaunding of tythes.

find them selues greéued: Then the Lord Chauncellor vpon com-
plaint to him made within three monethes then next following,
shal make an end in the same, wyth such costes to bo awarded, as
shalbe thought conuenient, according to the intent of this decrée.

Tenements let for a smale rent by reason of decaye.

18 ¶If any person take any tenement for a lesse rent then it
was accustomed to be letten for, by reason of any great decay, bur-
ning, or such like occasiõs or misfortunes, Then he shal pay tithes
onely after the rate of the rent reserued in his lease, and no other-
wise, as longe as the same lease shall endure.

Refusor to pay tithes according to the decree.

19 ¶Euery person denying to pay any of his tithes, oblati-
ons, or other dueties contrary to the said decrée, shall by the com-
maundement of the Maior of London, and in his default or negli-
ligence, by the Lord Chauncellor, be committed to prison, there to
remaine till he hath agréed with the Curat for his said tythes, ob-
lations, & other ductics, as is aforesaid. 37. H. 8. 12.

Tythes shalbe payed according to the customes of the Parishe where &c.

20 ¶All persons of the Queenes dominions, shal fully & true-
ly set out, or pay all and singuler tythes and offerinages, according
to the lawfull customes of the Parishes and places where such
tithes or dueties shal grow, arise, or be due. And in case any person
of his peruerse will shall withhold any of the said tythes or offe-
ringes, or part thereof, then the partie being ecclesiasticall or lay
person hauing cause to demaunde or haue the same, being thereby
wronged or greéued, shal & may conuẽt the offendor before the or-
dinary, his commissarie, or other competent minister, or lawfull
Judge of the place where such wrong shalbe done, according to the
ecclesiasticall lawes. And in euery such case the same ordinary &c
hauing the parties, or their lawfull procuratours before him, shal
and may procéede to the examination, hearing, & determining of
euery such cause ordinarylie or summarylie, according to ỳ course
& proces of the ecclesiasticall lawes, & therupon may gyue sentence
accordingly. 32. H. 8. 7. 37. H. 8. 20.

The offendor conuented before the Ordinary.

The appellant shal pay costes of suit to the other party.

21 ¶And in case that any of the parties for any cause concer-
ning that suit, doe appeale from the sentence of the said Ordinary
or Judge: Then the same Judge forthwith shall adiudge to the o-
ther partie the reasonable costes of his suit therein before expen-
ded, & shall compell the appellant to pay the same costes by com-
pulsory proces of the said ecclesiastical lawes, taking suertie of the
other partie to restore the same costes to the appellant, if after the
principal cause of that suite of appeale shalbe adiudged against the
same partie, to whom the said costes shalbe yelden. And so euery
competent Judge ecclesiastical shal aiudge costes to the other par-
tie, vpon euerie appeale made in any suit or cause of subtraction or

Suertie to repay costs to the appellant, if the cause be adiudged for him.

detention

tention of any tithes or offeringes, or in any other suit made for
concerning the ductie of such tythes or offeringes. 32. H. 8. 7

22 ¶ If any person after such sentence diffinitive giuen against him, obstinately refuse to pay his tythes or dueties, or such sumes of money so aiudged, wherein he is condempned for the same: then two Justices of the peace of the same shire (whereof one to be of the Quorum) haue aucthoritie vpon Information, Certificat, or complaint to them made in writinge by the ecclesiasticall iudge that gaue the same sentence, to cause the same person so refusing to be attached and committed to the next gaole, and there remayne without bayle or mainprise till he shall haue founde sufficient suerties, to be bound by recognisance or otherwise before the same Justices to the vse of the Quéene to performe the sayd sentence. 32. H. 8. 7. And in like sort may any one of the Quéenes Councell, or two Justices of peace, vpon an information and request made to them by the Ordinarie, commit any offendour to warde, for any contempt, contumacie, disobedience, or any other misdemeanor of his, in any suite for subtraction of Tythes, offeringes, or other dueties of the Church, vntil he hath founde suerties vt supra. 27. H. 8. 20.

The offendours bound by two Justices to obey the Ordinaries sentence.

23 ¶ In all cases where any person shall haue estate of inheritance, freehold, terme, right, or interest, of, or in any personage, vicarage, portion, pension, tythes, oblations, or other ecclesiasticall profit, made temporall, or admitted to abide in temporall handes, or lay vses by the law or statutes of this Realme, shalbe disseised, wronged, or otherwise kept or put from his lawfull inheritance, estate, seisin, possession, right, or interest, of, in, or to the same, or any parcell thereof, by any other pretending to haue title to the same: Then he, his heires, wife, & such other to whom such iniury shalbe done, shal and may haue their remedy in the Quéens other temporall Courtes, as the case shall require, for the recouerie of the same by writs originall of Precipe quod reddat, Assise of Nouel disseisin, Mordauncestor, Quod ei deforceat writtes of Dower, or other writtes original as the case shall require, deuised and graunted in the Chauncery, of euery such Parsonage, Vicarage, portion, pension, or other profit called ecclesiasticall or spirituall so to be demaunded according to the nature and cause of the same thereof, in like maner and forme, as he should, might or ought to haue had, of or for lands, or other hereditaments in such maner to be demaunded: And writs of couenant, and other writtes for the same to be leuied, and all other assuraunces to be made or conueyed of any such Parsonage, Vicarage, portion, pension, or other

Recouerie and conueyance in a temporal Court of tythes and other spirituall liuinge.

profit called ecclesiasticall or spirituall, shalbe deuised and granted in the said Chauncerie, according as hath bene vsed for fines to be leuied, and assurance to be made of lands, tenements, or other hereditaments, And all iudgementes to be gyuen vpon any of the said writs original for any the premisses, and all fines to be leuied in any of the Quenes said Courts thereof, shalbe of like effect in the law to all intentes, as iudgements gyuen and fines leuied of landes &c. in the same courts vpon writs original therefore duely pursued. 32.H.8.7.

Tythes & offerings shalbe onely recouered in the spiritual court.

24 ¶But this Act shall not gyue any remedie or cause of action in the Courts temporall, against any person which shall refuse to set out his Tythes, or which shall withholde or refuse to pay his tithes or offeringes. But the partie haunge cause to demaunde the same, shall take his remedie for them in euery such case in the spirituall Courtes, according to the ordinance aforesaid. 32.H.8.7.

Setting forth, or paying of predial tithes.

25 ¶Euery of the Quenes subiectes shall truely and iustly without fraud or guyle, deuyde, sett out, yeld, and pay all maner of their predialL tythes in their proper kind as they rise and happen, in such maner and forme, as hath beene of right yelded and payed within xl. yeares next before the making of this act (being 4. Nouemb. An. Do. 1548) or of right or custome ought to haue beene payed. And no person shall take or carrie away any such or lyke tythes which haue beene yelded or payed within the said xl. yeares or of right ought to haue bene paied in the place or places tithable of the same, before he hath iustly set forth for the tithe thereof the tēth part of the same, or otherwise agreed for the same tithes w̄ the Parson, Vicar, or other owner, proprietarie, or fermor of the same tythes, vnder the payne of forfaiture of treble value of the tithes so taken or carried away. 2. Ed. 6. 13.

The parsō may carry away hys tythe.

26 ¶At all times whensoeuer the said predialL Tythes shalbe due at the tything time of the same, it shalbe lawfull to euerie partie to whom any of them ought to be paied, or hys deputie, or seruant, to see their sayd Tythes to be truely sett forth, and severed from the ir. partes, and the same quietly to take and carrie away. 2. Ed. 6. 13.

Carrying the corne or hay before tythe be set forth. or letting the Parson to take his tythe.

27 ¶If any person carrie away his Corne or Hay, or his other predialL tythes, before tythe thereof be set forth, or willingly withdrawe his tithes of the same, or of such other things whereof predial tithes ought to be paid, or doe stoppe or let the Parson, Vicar, proprietary, owner, or other their deputies or fermors, to viewe, take, and carry away their tythes, by reason whereof the said

tithe

the or tenth is lost, or hurt: Then vpon due proufe thereof made before the spirituall Iudge or any other Iudge, to whom hertofore he might haue made complaint, the party so carrying away, withdrawing, or letting, shal pay the double value of the tenth, or tithe so take, lost, withdrawen, or carryed away besides the costs, charges, & expences of the suit in the same, the same to be recouered before the ecclesiastical Iudge according to the Quenes ecclesiastical lawes. 2. Ed. 6. 13.

28 ¶ Euery person which shal haue any beastes or other cattel tithable going or feeding in any wast or cõmon ground, where of the parish is not certenly knowen, shal pay his tithes for the increase of the said cattel to the person, vicar, propritary porcionarie owner, or other their fermors, or deputies, of the Parishe, hamlet, towne or other place, where the owner of the saied cattell dwelleth. 2. Ed. 6. 13. The tythe of cattel feeding in any wast ground whereof the parishe is not knowen.

29 ¶ Al such barren heath, or wast ground (other then such as be discharged for the paiment of tithes by act of parliament) which before this time hath lien barren, and paied no tythes by reason of such barrennesse, and shalbe emproued, and conuerted into arable ground, or medowe, shal after ye end of seuen yeres next after such emprouement pay tythe for the Corne and hay growing vpon the same. But if any such barren, wast, or heath ground hath before this time ben charged with the paiment of any tithes, and ye same be after emproued, and conuerted into arable ground or medow, Then ye owner thereof shal during vii. yeres next following from and after the same emprouement, paye such kinde of tythe as was payed for the same before the sayed emprouement. 2. Edwardi 6. 13. The tythe of baren heath, or wast ground.

30 ¶ Euery person exercysing marchandises, bargaining and selling, clothing, handicraft, or other arte, or facultie, being such kind of persons, & in such places as hertofore within these xl. yeres haue accustomablie vsed to pay such personal tythes, or of right ought to pay (other then such as be common day labozers) shal yearely at, or before Easter, pay for his personal tithes (the tenth part of his cleere gaines, his charges & expences accordinge to his estate therein deducted.) But in al such places where handycraftsmen haue vsed to pay their tithes within these forty yeares, the same custome of payment of tythes shalbe obserued and continue. 2. Ed. 6. 13. Marchants & handycraftmen shal pay the x. part of their gaynes.

31 ¶ If any person refuse to pay his personal tythes in forme aforesaid: Then it shalbe lawful to the ordinary of the same dioces where the said partie is dwelling, to cal the same party before him and The ordinarie may examine him which refuseth to pay his personal tythes

and by his discretion to examine hym by al lawful and reasonable meanes (other then by the parties owne corporal othe) concerning the true paiment of the said personal tythes. 2. Ed. 6. 13.

Payment of offerings.

32 ¶ Euery person which ought to pay offerings, shal yearely truely pay them to ỳ parson, vicar, proprietary, or their deputyes or farmors of the parish where he shal dwel or abide, at such 4. offeringe daies as at any tyme within the space of 4. yeres last past (being 4. Nouembris. An. Do. 1548.) hath ben accustomed for ỳ paiment of ỳ sãe: And in default therof, to pay for ỳ said offeringe at Easter then next following. 2. Ed. 6. 13.

Tythe of fishe.

33 ¶ This act shal not extend to any parish which stands vpõ, and toward the sea costs, the commodities and occupying wherof consisteth chiefely in fishing, and haue by reason therof vsed to satisfy their tythes by fish, But euery such parish shal pay their tythes accordinge to the lawdable customes as they haue heretofore of auncient time within this xl. yeres vsed, and shal pay their offerings as is aforesaid. 2. Ed. 6. 13.

Suits for withholding of tithes shalbe in the ecclesiastical court & not els where

34 ¶ If any persõ do withdrawe any tithes, obuentiõs, profits, or other duityes before mencioned, or any part of them cõtrary to the true meaning of this or any other act heretofore made, then ỳ party withdrawing may or shalbe conuented and sued in the K. ecclesiastical court, by the party from whom the same shalbe withdrawen, to the intent the Quẽnes Iudge ecclesiasticall, shall and may then and there heare and determine the same, according to the Quẽnes ecclesiastical lawes. And it shal not be lawful vnto the parson, vicar, proprietary, owner, or other their farmors, or deputies contrary to this act to conuent, or sue such wythholder of tythes, obuentions or other duties aforesaid, before any other Iudge then ecclesiastical. 2. Ed. 6. 13.

The ordor disobeying the Iudges sentẽce shalbe excomunicat.

35 ¶ If any Archbishop, Bishop, or other Iudge ecclesiasticall geue any sentence in any of ỳ foresaid causes of tithes, obuentions, or other duties aforesaid, (& no appeale ne prohibition hanging) if the party condempned do not obey the saide sentence, Then it shalbe lawful to euery such Iudge &c. to excõmunicat ỳ said partye cõdẽpned, & disobeying, in ỳ which sẽtence of excõmunication, if ỳ said party excõmunicat wilfully endure stil excõmunicat by ỳ space of forty daies next after, vpon denunciation and publication therof in the parishe church of the place or parish where the party so excõmunicat is dwelling or most abiding, the said Iudge may then at his pleasure signifie to the Chaunc ery the state and condition of the saied partie so excommunicate, and thereupon require proces De excommunicato capiendo, to be awarded against hym.

Excommunicato capiendo.

1.Ed.6.13.

36 ¶This act shal not geue any minister or Iudge ecclesiastical any iurisdiction to hold plee of any thing being contrarie or repugnant to the effect or meaninge of the statut of Westminster. 2.5.ỹ statuts of Articuli cleri, Circumspecte agatis, Silua cedua, ỹ treatise de Regia prohibitione, ne against the statut of 1.Ed.3. 10. or any of them, ne yet to hold plee in any matter whereof the Quenes court of right ought to haue iurisdiction. 2.Ed.6.13.S.38 39.S.Prohibition.1.2.3.4.5.6. Of what things the Iudge ecclesiastical shal not hold plea.

37 ¶The forsaid statut of.27.H.8.c.32.H.8. shal not extend to any inhabitant of the City of London and suburbes of the same for the payment of their tythes and offerings, neither the statut of 2.Edwardi sexti shal extend to the inhabitaunts of the Citye of London and Caunterburye and the Suburbes of the same, nor to any other Towne or place that hath vsed to paye their tythes by their houses, otherwise then they ought or should haue done before &c.27.H.8.20.32.H.8.7.2.E.6.13. London. Cañterbury.

38 ¶If any man do erect a new mil in his ground, he shal pay tithe for the same. Articuli cleri.9.Ed.2.5.S.Prohibition.6. Windemil.

39 ¶If a man do sel great wood of the age of xx.yeres or aboue, no tithe shalbe paied therfore.45.Ed.3.3.S.Prohibition.5. Silua Cedua.

40 ¶Euery person and persons, their heires, and assignes hauing any monasteries, Priories, Nuries, Colledges &c. or other ecclesiastical houses or places &c. or any mannours, messuages, personages appropriat &c. or other hereditamentes which belonged vnto the said monasteries, priories &c. which were discharged of, & for the payment of tithes being in the handes of ỹ Abbots, Priours &c. or other ecclesiastical gouernors, shal haue & inioy euery of the said monasteries, priories, lands, tenements, & other hereditaments, according to their estats and titles, discharged of paimēt of tithes, in as ample maner as any of ỹ said Abbots, Priors &c. or other ecclesiastical gouernors held or enioied the same at ỹ dates of their dissolution, or comminge to the handes of king H.8. of the same 31.H.8.13. Certein Abbey lands discharged of tithes.

41 ¶No tithes of mariage goods shalbe required of any person in Wales or the marches therof, Neither shal any persō be cōpelled to pay tithe for the landes or hereditamentes which by the lawes & statutes of this realme, or by any priuiledge or prescription are not chargeable with the paymēt thereof, or that be discharged by any composition real.2.Ed.6.13. Tythes of mariage goods in Wales. Discharge of tythes by prescription or composition.

1 That where money for tithes is demaũded in a spiritual court, the Q. prohibition doth lie. S. Prohibition.1.

2 VVhere vppon ſuyt for tythes in an Eccleſiaſtycal court a prohibition is grauntable, and vvhere a Conſultation. See Prohibition. 10.

¶ Tolle.

Exceſſiue tol taken in Cities or townes.

IF any doe take any outragious tolle contrarie to the cuſtome of the realme in a market Towne which is the Quenes Towne and let to fee farme, the Quene ſhal ſeiſe the franchiſe of the market into her owne hand. And if it be an other towne, and that bee done by the Lord of the towne, the Q. ſhal do in like ſort, & if it be done by a bailife or any meane officer without the commaundement of his Lorde, hee ſhal reſtore to the plaintife for his outragious takinge, ſo much as he hath receiued of him if he hath carried away the toll, and ſhalbee impriſoned fortie daies. Weſtminſter 1. 3. Ed. 1. 30.

Tol at a mil.

2 ¶ Toll at a mil ſhalbe taken according to the cuſtome of y Realme, and the ſtrength of the courſe of the water, as of the x. corne, or the xviii. corne, and the meaſure whereby toll ſhalbe taken, ſhal agree with the Quenes meaſure, and it ſhalbe taken by the ſtrikel, and not by heape, and if the fermors do find to the millers things neceſſarie for them, they ſhal take but their due tol, and if they do otherwiſe, they ſhalbe puniſhed. 3. Edwardi. 1. ſtatut de vittellarijs.

1 VVhen, vvhere, and of vvhom tol for horſes ſhalbee taken in a faire or market. S. Faires. &c. 5.

2 In vvhat caſes it is not lavvful to take tolle of fiſhe brought into this realme. S. Shippes. 2.

3 That Aliens made denizens, ſhal pay ſuch tolles as they did before. S. Aliens. 3.

¶ Tovvnes.

A proviſion for the repaire of houſes in certain great townes.

IF any perſon or perſons, or bodies politike being owners or poſſeſſioners of any deſolate or void groundes, that at any time within xlv. yeares next before the making of this act (beung. 16. Januarii. An. Do. 1541.) haue ben builded for houſes or habitation, or for any houſe or houſes of habitation nowe or hereafter being in decay and not fully fallen downe, within the liberties and precinctes of any of the boroughs, townes, and places within the walles and liberties of the citie of Caunterbury, the city of Rochester, the boroughes, and townes of Stampford, and great Grymſby in the county of Lincolne, the Towne of Cambridge, in the countie of Cambridge, the Borough or towne of Darby in the countye of

Darby

darby, the bozough oz towne of Gilford in the county of Surrey, the towne of Dunwiche in the county of Suff. the boroughes oz townes of Sinque portes wt their members, the towns of Lewes in the county of Suſſex, and the towne of Buckingham in the cõtie of Buckingham, do not ſufficiently reedifie, build, and repaire, nz cauſe to be reedified, builded, and repaired the ſaid deſolate and void groundes and decayed houſes conuenient foz habitation and dwelling, within two yeres next after proclamation made in oz vpon the ſame void ground oz grounds, decaied houſe oz houſes, by the Maiozs, Aldermen, and Burgeſſes oz other head officers wtin the precint of their owne aucthozities, then it ſhalbe lawful foz the chiefe lozd oz lozds immediat of whõ ſuch deſolate & void groundz decaied & ruinous houſes be holden, after the ſaid two yeres be expired to enter into the ſame, and to haue the ſame grounds oz houſes with the curtelage, backſide, and garden adioining to the ſame (if they be of ẏ inheritãce of the owner oz owners of ẏ ſaid decayed houſe oz grounde, and exceede not one acre of ground,) to them and to their heires oz ſucceſſozs, oz to their owne proper vſe foz euer, ſo that the ſaid lozd oz lozds immediat entering by the aucthozitie of this act, do ſufficiently reedify, build, oz repaire the ſame void grounz oz decaied houſes within two yeres & halfe next immediatly following the determination of the fozeſaid firſt ij. yeres. 33. H. 8. 36. The chiefe Lozds entre.

2 ¶ And in caſe ſuch lozd oz lozds as may enter by this act do not enter, and wel & ſufficiently reedify, build, oz repaire the ſame void ground oz decayed houſes within the ſaid two yeres & a halfe to them limitted by this act, oz if ſuch lozd oz lozdes immediat as may enter do ſufficiẽtly reedify, build, & repaire ẏ ſame void groũdz & decayed houſes within the ſaid two yeares and a halfe, to them limitted, and after they, their heires, oz ſucceſſozs ſuffer the ſame houſes oz void grounds to fal in ruin and decay, and do not builde & reedifie the ſame ſufficiently within two yeres and a halfe after ſuch ruin oz decay: Then it ſhalbe lawful to al perſon oz perſons & bodyes politike as ſhal then haue any rent charge iointly oz ſeuerally going out of ẏ ſaid void ground oz groũds, oz decayed houſe & houſes in any of the ſaid cities, bozoughs, townes oz places immediatly after the ſaid ij. yeres & a halfe expired to enter into the ſame, and to haue to ſuch of them their heires & ſucceſſozs to their owne proper vſe as ſhal ſo build the ſaid void groundes oz decayed houſes by aucthozytie of thys Acte, the ſame voyd groundes oz houſes with the curtelage, backeſide, and garden adioyninge to the ſame if they be of ẏ inheritance of the owner oz owners of the ſaid decayed The entre of thẽ which haue rent charge.

decayed houses or ground, and exceede not in quantitie one acre of ground, discharged of al rents going out of the same grounds, or houses, aswel against the said lord & lords immediat, as al other person or persõs or bodies politike hauing any rent or rents, charges, or rent secke out of the same, other then ỹ fee farme of ỹ saied citie, borough, towne or place, or some parcel therof, so that the said person or persons or bodies politike hauing the said rent charge, entering by the auctoritie of this act, do sufficiẽtly reedify, build, & repaire ỹ same desolate & void groũd or grounds, or decayed house or houses within one yere and iij. quarters next and immediatly following the determination of the said two yeres & a halfe to the said lord or lords immediat appointed by this act. 33. H. 8. 36.

3 ¶ And in case such person or persons or bodies politike hauing any of the saied rentes, charges, as may enter by this act, doe not enter, and wel & sufficiently reedify, build, or repaire the same void ground or decayed houses within one yere and three quarters to them appoynted by vertue of thys Acte, or if they or any of them hauing such rent charge and that may enter by this act, do sufficiently build and repaire the same void ground or groũdes or decayed house or houses, within ỹ said one yere & iii. quarters to thẽ limmitted, & after they their heires or successors suffer ỹ sãe void groũd or grounds, house or houses to fal in ruin & decay, & doe not build or reedify the same sufficiently within one yeare & three quarters after such ruine or decay: Thẽ it shalbe lawful to ỹ Maiors, Aldermẽ, and Burgesses & other head officers in ỹ said Citie, boroughs, townes and places by what name or names soeuer they be incorporated, and their successors, and euery of them with in the limits of their auctorities, immediatly after the said yeare and three quarters expired, into euery such desolat void grounde, decayed or ruynous houses to enter, and haue, hold, & inioy to thẽ and their successors for euer, to their owne vses, the same grounds or houses, and euery of them, with the curtelages, gardens and backsides to the same, if they be of the inheritaunce of the owner or owners of ỹ said decayed house or ground, & exceede not in quantitie one acre of groũd, clerely discharged of al rẽts going out of ỹ sãe groũds or houses, aswel against ỹ said lord or lords immediate, as al other persõ or persõs or bodies politike hauing such rẽt charge or rent secke as before is said, other then the fee ferme of the saied Citie, borough, towne or place or parcel therof, So that the same Maiors, Aldermen and Burgesses, or other head officers, as is aforesaid, or their successors for the time being, doe reedify, build or repaire, or cause to be reedifyed, builded, or repaired the same groũd

The entre of the head officers of corporat townes.

or

grounds, house or houses, within iii. yeres next and immediatly following the determination of the said yeare and three quarters, limytted or appoynted to such persone or persones, or bodyes politike, that haue or shal haue any rent as is afore layed Anno. 33. H. 8. 36.

4 ¶ And in case the said Maiors, Aldermen and Burgesses, or other head officers as is aforesaid, or their successors, doe not entre, & readily, build, & repaire ỳ sãe void ground or grounds, decayed house or houses in forme aforesaid, within ỳ said terme of iii. yeres after their saied entrie, or if they sufficiently reedifie, build and repaire the same void ground or grounds, or decayed house or houses, within ỳ said iij. yeres to thẽ limitted by this act & after they, or their successors suffer ỳ sãe house or houses void groũd or grounds to fall in ruin and decay, and do not builde & reedifie the same sufficiently within three yeres after such ruin or decay: Then it shalbe lawful to ỳ first owner or owners, possessor or possessors, of such void ground or groũds, decayed house or houses their heirs or successors immediatly after the said three yeres to the said Maiors, Aldermẽ Burgesses, or other head officers as is afore limitted expired, in the same houses, ground or groũds, curtelages, gardens, & backsides to enter, and the same to retaine to them their heires & successors, as in their first estate. 33. H. 8. 36. The first owners entrie.

5 ¶ But this act shal not be prejudicial to any person or persons being at the time of the said Proclamation made vnder the age of xxi. yeres, or being fre couert, or in prison, or beyond ỳ sea, in the Quenes warres, or in his other lawful affaires, or to any person or persons not being then of whole & perfect memory, during the time that such person or persons shalbe within age, maried, in prison, or of no perfect memory, or beyond ỳ sea, so that the sãe person or persons, their heires or successors after ỳ he or they come to their full age of xxi. yeres, or be vnmaried, out of prison, or come againe within this Realme, or be of whole and perfect memorie, within three yeares then next ensuynge, doe reedifie the same dilate or voyde groundes, or repaire the sayed decayed houses Anno. 33. H. 8. 36. Infants, feme couert, out of the realme, in prisõ, so that the person might reserued.

6 ¶ Anno. 53. H. 8. 4. a like act was made in every respect, with proulsion of sauing for the repairing of the Towne of Shrewsbury in the county of Salop, the city of Chester in ỳ coũtie of Chester, ỳ towne of Ludlow in ỳ coũty of Salop, Hauerford west in the county of Hauerford in south Wales, the Towne of Pembroke Temby in the County of Pembroke, the Towne of Karmardyn in the coũtie of Karmardyn, the towne of Mountgomery

in

in the county of Mountgomerie, Cardiffe, Swanesse, Cowbridge, newe Radnor & Prestend in the County of Radnor, the Towne of Brecknoke in the Countye of Brecknoke, and the Towne of Monmouth in the county of Monmouth, the towne of Maldon in the county of Esser, the townes of Abargauenny, Vske, Carlion, & Newport in the County of Monmouth, the townes of Lancaster, Preston, Lirepole, and Wygan in the Countie palantyne of Lancaster.

7 ¶Ann. 32. H. 8. 18. an act was made for the repaire of houses of habitation within the walles, & liberties of the Cities, Boroughs, and Townes of York. Lincolne, Caunterbury, Coventry, Bath, Chicester, Salisbury, Winchester, Bristowe, Scarburgh, Herford, Glocester, Rochester, Portelmouth, Poole, Lyn, Feuersham, Worcester, Stafford, Pontfret, Grantham, Exceter, Ipswich, Southampton, great Yarmouth, Orford, great Wickham, Gilford, Estretford, Kingston vpon Hul, Newecastel vpō Tyne, Beuerley, Bedford, Leicester, and Warwike, & An. 32. H. 8. 19. like act is made concerning the repairing of the borough & townes of Shafton, Sherborne, Bristow, Dorchester, & Weymouthe in the county of Dorset, and the boroughes and Townes of Plimmouthe, Plimpton, Bastable, Taustocke, and Dartmouth, within the county of Deuonshire, and the boroughes, and townes of Launceston, Liscard, Lestuthiel, Bodman, Truru, & Helston, within the county of Cornewal, and the boroughes, and Townes of Bridgwater, Taunton, Somerton, & Ilchester within the county of Somerset, and the borough of Maldon in the coūty of Esser, and also the borough and shire Towne of Warwick in ỳ countie of Warr. By which acts it was prouided that if any persons &c. or body politike, being owners or possessioners of any void groūds ỳ haue ben at any time within two. yeres immediatly past before 12. Aprilis. An. 31. H. 8. & An. Dō. 1541. builded for houses of habitations, nowe, or hereafter beinge in decay, and not fully fallen downe, within the liberties or precincts of any ỳ said Cities, boroughs or townes, do not sufficiently reedify build and repaire, or cause to be reedefied &c. the said void grounds or decayed houses cōuenient for habitation &c. within three yeres next after proclamation thereof to be made in or vppon the same grounds &c. by the Maiors &c. or other officers of euery of the said cities, Townes &c. Then it shalbe lawful to the lords of whome such groundes, houses &c. be holden, after the said three yeres expired, to enter into the same, and to haue the same &c. to them and to their heires or successors, to their owne vse for euer, so that the said Lords so entering

do

ſufficiently reedifie the ſame houſes, groundes &c. within two
res next following the determination of the ſaid iij. yeres. And
caſe ſuch Lord do not enter & ſufficiently rædifie ẏ ſame groũds
within the ſaid two yeres: Then it ſhalbe lawful to al ſuch per-
or bodies politique &c. as ſhall then haue any rent charge go-
leuerally out of any of the ſaid grounds or houſes &c. immedi-
after ẏ ſaid two yeres expired to ẽter into the ſame, & to haue
ſame to them, their heires &c. for euer, ſo that the ſaide perſons
bodies politique &c. do ſufficiently rædifie the ſame grounds wi-
one yere next following the determination of the ſaid ij. yeres,
in caſe ſuch perſons or bodies politique &c. hauing the ſaid rent
rges &c. do not enter and ſufficiently rædifie &c. ẏ ſame groũds
within the ſaid one yere &c. Then it ſhalbe lawful to ẏ Maiors,
eriffes, bayliffes or comminaltie, or other head officers of ẏ ſaid
ies, Boroughs, &c. or their ſucceſſours &c. immediatly after the
e yeare expired, into euerie ſuch groundes, houſes &c. to enter,
the ſame to enioy &c. to them and their ſucceſſours for euer,
ely diſcharged of all rent goynge out of the ſayde groundes or
ſes aſwell againſt the ſayde Lorde, as all perſones, or bodies
itique hauing any ſuch rent, ſo that the ſayde Maiors &c. or their
ceſſours &c. do rædifie &c. the ſame groundes, houſes &c. within
e yeares immediatly following the determination of the ſaide
re &c. And in caſe the ſaide Maiors &c. or their ſucceſſors, do not
ter and rædifie &c. within ẏ ſaid terme of thræ yeares &c. Then
ſhalbe lawfull to the firſt owners, poſſeſſioners &c. of ſuch voyd
roundes or decayed houſes &c. their heires or ſucceſſors immedy-
after the ſaid thræ yeares expired, into the ſame groundes or
ſes &c. to reenter, and the ſame to retaine to them, their heirs
ſucceſſors as in their firſt eſtate. In which ſtatutes there be ſe-
al prouiſoes &c. that the ſaid acts ſhal not be prejudiciall to anie
ſons being at the time of the ſaid proclamation made vnder ẏ
of rrj. yeares, to any woman being maried, to any perſon be-
in priſon, or beyond the ſea in the Quænes warres, or in his
er lawfull affaires during ſuch time &c. So that the ſame per-
do within thræ yeares next enſuyng that ſame imperfecty-
temoued, rædifye &c. the ſame groundes, houſes &c. as is a-
ſayde &c.

8 ¶ Anno. 27. H. 8. 1. it was enacted that if any owner, or
ners of any void and decayed houſes or groundes within ẏ pre-
ct of the townes of Notingh̃, Shrewſbury, Ludlow, Glouc.
idgenorth, Quinborough, & Northampton, within thræ yeres
t after proclamation thereof to be made by ẏ Maiors, Sherifs,

and baillifes, of any of the ſaid townes, in or vpon any ſuch vacã or decayed houſes or grounds, do not enter, & ſufficiently rædify ye ſame houſes, grounds &c. Then it ſhalbe lawful to ye Lord of whõ ſuch grounds &c. ſhalbe holden, to enter immediatly after the ſayd iij. yeres expired, & to haue the ſame to him, his heires, & ſucceſſors for euer, ſo that the ſaid Lord do ſufficiently rædifye the ſame wiñ iij. yeares next & immediatly following the determination of the former iij. yeres. And if ſuch Lord do not enter & ſufficiently rædifie the ſame within the ſaid iij. yeres: Then it ſhalbe lawful to the ſaid Maiors, Sheriffes, baillifes &c. & their ſucceſſors after the ſaid iij. yeres expired, to enter into euery ſuch grounds, or houſes, & ye ſame to retaine to thẽ & their ſucceſſors for euer, diſcharged of al rẽts going out of ye ſame, ſo ye the ſame Maiors &c. or their ſucceſſours do ſufficiently rædify the ſame grounds &c. wiñ iij. yeares next following the determination of the former iij. yeres. And in caſe ye ſaid Maiors &c. and their ſucceſſors do not enter, and ſufficiently rædifie the ſame decayed houſes or grounds, in forme aforeſayd, within the ſaid terme of iij. yeares, Then it ſhalbe lawful to the firſt owners of ſuch decayed grounds, their heires or ſucceſſors immedyatly after the ſame iij. yeres expired, into the ſame &c. to rænter, thẽ to retaine to thẽ, their heirs & ſucceſſors, as in their firſt eſtate. In which act there is a Prouiſo for euery perſon being at the time of the Proclamation made, vnder age, a woman couert, in priſon, beyond the ſea, &c. vt ſupra.

1 That he vvhich dwelleth in the countrey shal not ſel ware in corporat or market tovvnes. S. Merchandiſe. 11. 12.

2 That cloth to be put to ſale shall not be vvrought but in market tovvnes. S. Drapery. 78.

¶Tranſportation.

Tranſporting of things out of the realme.

FOr the tranſporting of Corne, Beere, Butter, Cheeſe, Herring & vvood. S. Corne. 1. 3. 4. 6. 7.

Corne.

Artillarie.

2 ¶For tranſporting of Artillarie by any Alien. S. Archery. 6

Cloth.

3 For the tranſporting of cloth of all prices & ſortes, and of vvoollen yarne. S. Drapery. 100. 101. 102.

Braſſe.

4 For the tranſporting of Braſſe, Copper, Latten, Mettall. S. Braſſe. 1.

Sheepe.

5 For the tranſporting of any kinde of sheepe being aliue, S. sheepe. 1. Felony. 3.

Leather.

6 For tranſporting of Leather, Tallovve, and ravve hydes. S. Leather. 33.

Gold & ſiluer.

7 For tranſporting of Golde or Siluer in money, Bulleon Plate,

late, or veſſels. S. Money. 3. 4. Merchants. 9. Premunire. 2.

8 For tranſporting of Horſes, Mares, or geldings, beyond the Horſes.
e, or into Scotland. S. Horſes. 13. 16. Felony. 1.

9 For tranſporting of Shoes, Bootes, Buſkins, ſtartups &c. Shoes.
Leather. 35.

10 For tranſporting of sheepeſkins, vvoolfelles, the ſkins of Skinnes.
y Stagg, Hinde, Bucke, Doo, Kyd, or the Leather made of thē,
Marchants. 4.

11 For tranſporting of fiſh, taken in English mennes Shippes, Fiſh.
Shippes. 1.

12 For the tranſporting of Vitailes. S. Vitailes. 8. Vitaile.

13 For the tranſporting of vvhite Ashes. S. VVhite Ashes. 1. Whyte aſhes.

14 For the tranſporting of VVorſteds. S. VVorſteds. 4. 5. Wooꝛſted.

15 For the tranſporting of vvorſted yarne, ſponne in Eng- Wooꝛſted yarne
nd. S. yarne. 2.

16 For the tranſporting of Thrūmes, or vvoollen yarne vnder Thꝛummes.
e colour of Thrummes. S. yarne. 3.

17 For the tranſporting of Hornes. S. Hornes. 2. Hoꝛnes.

18 For the tranſporting of ſpicery. S. Merchants. 1. Spiceꝛie.

For the bringing of cloth into this realme, made in an other Re- Bꝛinging of
alme. S. Drapery. 104. thinges into
the Realme.

2 For the bringing of Corne into this Realme. S. Corne. 9. Cloth.

3 That no vagabōd or begger shalbe brought out of Ireland Coꝛne.
the Iſle of man, into England or vvales. S. Poore people. 14. Vagabond.

4 That no vagabonds calling them ſelues Egiptians, shall be Egiptian.
rought into this realme. S. Egiptians. 1.

5 That certaine foreine vvares ready vvrought, shall not be Foꝛein wares.
rought into this Realme. S. Merchants. 3.

6 That Irishe money shall not be brought into this Realme. Iꝛiſh money.
Money. 5.

7 That no perſon shal buy or take by exchaunge, any vvares Tynne.
rought into this Realme, wrought out of the realme, made of
ynne or mixt with tynne. S. Pevvter. 7.

8 That no perſon shal bring vvrought ſilke into this realme. Wꝛought ſilke.
Silke. 1.

9 That no falſe or coūterfait money shalbe brought into this Falſe money.
alme. S. Treaſon. 1. 3.

10 That he vvhich bringeth in Haukes, muſt bring a certificat Haukes.
ſtifying the ſame. S. Haukes. 3.

11 That they vvhich bring in certaine other merchādizes, shal Bowſtaues.
ing in Bovvſtaues, S. Bovvves. 1, 2.

Trauerſe to an office found after the death of the Queenes tenant.

WHere one perſon or more is or ſhalbe found heire to ỹ Quee-
nes tenãt, by office or Inquiſitiõ, where any other perſon is
or ſhalbe heire, Or if one perſon or more is or ſhalbe found heire by
office in one county, and an other is or ſhalbe found heire to ỹ ſame
perſon in an other countie, Or if any perſon is or ſhalbe vntruely
found Lunatike, Ideot, or dead: Euery perſon or perſones greeued
by any ſuch Office, or Inquiſition, ſhall and may haue his or their
Trauerſe to the ſame immediatly, or after, at his or their plea-
ſure, and proceede to trial therein, and haue like remedy and aduã-
tage, as in other caſes of Trauerſe vppon vntrue Offices found.
2. Edwardi. 6. 8.

Trauerſe to an office found vpõ attainder of felony &c.

2 ¶ Where it is, or ſhalbe vntruely found by Office or In-
quiſition, that any perſõ attainted or that ſhalbe attainted of trea-
ſon, Felony, or Premunire, is or ſhalbe ſeiſed of any lands, tene-
mentes, or hereditaments at the time of ſuch offence committed,
or at any time after, whereunto any other perſon or perſons ſhall
haue any iuſt title, or intereſt of any eſtate of freehold: Then eue-
rie perſon greeued thereby, ſhal haue his Trauers & Monſtrance
de droit to the ſame, without being driuen to any petition of right,
and like remedie and reſtitution vppon hys title founde or iudged
for hym therein, as hath been vſed in other caſes of Trauerſe, al-
though the Queene ſhalbe in ſuch caſe intituled to any ſuch landes
by double matter of Record. 2. E. 6. 8.

Trauers where the Queene is intituled to a tenure where none is.

3 ¶ Where it ſhalbe founde by Office, or Inquiſition, that a-
nie landes &c. ſhalbe diſcended, remayned or come to anie heire
within age, and in the Queenes warde, or that ought to be in the
Queenes warde, and that ſuch landes are holden of the Queene
immediatly, where in deede the ſame are holden of ſome other cõ-
mon perſon, and not of the Queene immediatlye. In ſuche caſe
ſuch heire or heires ſhall and may haue his or their Trauerſe to
the ſame within age, and like remedy and reſtitution vpon his or
their title found or iudged for him or them therein, as hath been
vſed in other caſes of trauerſe. 2. Ed. 6. 8.

Vpõ a trauerſe a Scire facias ſhalbe awarded againſt the Queenes Patentees.

4 ¶ In all ſuch caſes as anie perſon ſhalbe enabled by this
act to haue any Trauerſe, and ſhall purſue his trauerſe: Then
he that ſhall purſue ſuch Trauerſe, ſhall ſue one writte, or ſeuerall
writtes of (Scire facias) as the caſe ſhall require, againſt all and
ſinguler ſuch perſon and perſones as ſhall haue intereſt by the Q.
or by her Patentee, or patentees, in like maner and fourme as is
requiſite vpon trauerſes, or petitions heretofore purſued, and in
euery ſuch Scire facias, the patentees or other defendants ſhal haue
like pleas and aduauntage, as they had in anie Scire facias before
this

this time awarded agaynſt any patentée in any caſe of Petition. And alſo vpon euery trauerſe that ſhalbe purſued by vertue of this act, in ſuch caſe as the partie that ſhall purſue ſuch Trauerſe ſhould by order of the common lawes, haue bene put to ſue by petition to the Quéene, There ſhalbe two writtes of ſearch graunted in maner and fourme, as lyke writtes haue ben graunted vpon Petitions made to the Quéene, ſecundo Edwardi ſexti octauo. Where lower wryttes of Searche ſhalbée graunted. S. Ayde of the Queene. 2.

Writs of ſerch vpõ a trauerſe.

5 ¶If after any Iudgement ſhalbée geuen vppon any Trauerſe that ſhalbe tendered by vertue of this act, it ſhall appeare by any matter of record that the Quéene hath any other former title, right, or intereſt to the landes &c. mencioned in the ſame Trauerſe, Then the ſame title ſhalbe ſaued to her, the ſayde Trauerſe and iudgement thereupon giuen notwithſtanding, ſecundo Edwardi ſexti. 8.

The Queenes former right reſerued.

1 VVhere he that is indicted or appealed of treaſon, ſhalbe receyued to trauerſe the ſame. S. Treaſon. 11.

2 Trauerſe to an Office vvhereby landes ſhalbe found to be fraudulently cõueied by any of the Queenes accomptants. S. Accomptants &c. 38.

3 VVhere landes ſhalbe letten to ferme to him that tendreth a trauerſe. S. Patents. 13.

4 For the trial of a trauerſe certified of a Riot. S. Riots. 3.

¶Treaſon.

IT is high Treaſon to compaſſe or imagine the death of ỹ King, the Quéene his wife, or of their eldeſt ſonne and heire, or to deflower the kings wife, the kings daughter being vnmaried, or the kings eldeſt ſonne and heires wife, Or to leuy warre againſt the king, Quéene &c. in her Realme, or to be adherent to her enemies ayding them in her realme, or els where, Or to counterfayt the Quéenes great ſeale, her priuie ſeale, or her money, Or to bryng falſe money into this Realme, counterfait like vnto the money of England, knowing the money to be falſe, and to make merchandiſe or payment therewith, Or to ſlea the Quéenes Chauncelor, Treaſorer, Juſtice of the one Benche or other, Juſtice in Eire, Juſtice of Aſſiſe, or any other Juſtice aſſigned to heare and determine, being in his place, doing his office, which foreſaide treaſons do extend to the Quéene, and her royal Mateſtie, and the Quéene ſhall haue the forfaiture of the eſchetes of them, aſwell of landes and tenements holden of others, as of her ſelfe. 25. Ed. 3. 2.

Cõpaſſing the Queenes death

Leuying warre & aiding of the Queenes enemies.

Coũterfaiting the great, or priuie ſeale.

Bringing in of counterfait money.

Killing a Judge ſitting in his place.

Forging the signe manuel, priuy signet, or seale.

2 ¶ If any person do falsly forge or counterfayt the Quéenes signe manuel, priuy signet, or priuy seale, or do falsly forge & counterfait any coine of Golde or Siluer which is not the proper coine of this realme, and is or shalbe currant within this realme by the consent of the Quéene, her heires or successors, it is high treason, & the offendors therein, their counselors, aydors, procurors, and abbettors being conuict according to the lawe, shalbe adiudged traitors. 1. M. 6.

Forging the money of other realmes currãt in this.

Bringing in of counterfait money.

3 ¶ Whosoeuer doth bring into this realme, or any the dominions therof, from any parts beyond the sea, any falsse & counterfait coine or money like to the coine of other realmes, being by ỹ Quœnes permission currant in payment wỹn this Realme, knowing the same to be falsse and counterfait, to the intent to vtter or make payment therewith, within this realme &c. by merchandizing or otherwise, he, his coũcelors, procurors, aydors, & abbettors do commit high treason. 1. & 2. P. & M. 11.

Forgig of money, which neither is the money nor currant within this realme.

4 ¶ If any person or persons shal falsely forge or counterfait any kind of Golde or siluer, as it is not the proper coine of this realme, nor permitted to be currant in this realme, it is misprision of high treason, & the offendors therein, their procurors, aydors, and abbettors, being conuict &c. shalbe imprisoned, & forf. such landes, goods, & cattels, as in cases of misprision of Treason, for concealement of high treason. 14. El. 3.

Clipping, washing, rounding, or filing of money.

5 ¶ The clipping, washing, rounding, or fyling for gaynes sake of any money, or coine, which nowe is, or hereafter shalbe ỹ coyne of this realme, or the dominions thereof, or of any other realme, &c. allowed and suffered to be currant within this realme, by the Quéene, her heires or successors, is treason. And the offẽdors, their counselours, consentors, and aydors, shalbe adiudged as offendours in treason, But the attaynder in this treason maketh no corruption of bloud in the heire, nor forfayture of dower in the wife. 5. Eliz. 11.

Diminishing, shaling or lightning of money.

6 ¶ If any person for wicked lucre sake, do by any art, waies, or meanes whatsoeuer, impaire, diminish, falsify, shale, or lighten the proper moneis or coines of this realme, or any the dominions thereof, or the monies &c. of any other realmes allowed at ỹ time of the offence committed to be currant within England, or anie dominions thereof, by the Proclamation of the Quéene, her heirs or successors, he, his counsellors, aydors, and consentors shalbe adiudged offendors in Treason, But the attaynder for this offence, maketh no corruption of bloud, nor the wife to lose her dower. 18. Elizabeth. 1.

7 ¶ It

7 ¶ It is petit Treason, when a seruant killeth his master, a woman killeth her husband, or when a seculer or religious mā killeth his Prelat, to whom he oweth obedience. And this maner of treason doth gene the forf. of ỹ Eschets to euery Lord of his owne proper fee. 25. Ed. 3. 2. Petit treason.

8 ¶ Concealement, or képing secret of any high treason, shal be deemed, and taken onely misprision of treason, and the offendors therein shall forf. and suffer, as in cases of misprision of treason hath heretofore bene vsed. 5. Ed. 6. 11. 1. ℣. 2. P. & M. 11. 1. El. 6. S. Prisons. 8. that it is misprision of treason to conspire to set at libertie any person committed to prison by the Quéenes cōmaūdement, for any Treason or suspition thereof, touching her owne person, before the same person be indicted thereof, decimo quarto Elizabeth secundo. Misprision of treason.

9 ¶ If any person being examined before the Quéenes Counsel, or three of them, vpon any treasons, misprisions of treasons, or murders, do confesse any such offences, or that the sayd Counsell or three of them, vpon such examination, shal thinke any person so examined to be vehemently suspected of any such offences: thē the Quéenes commission of Oyer & Terminer vnder her great seale shalbe made to such persons, and into such shires or places, as shal be appointed by her highnes for the spædy trial, conuiction, or deliuerance of such offēdors, which commissioners shal haue authoritie to enquire, heare, and determine, al such treasons, misprisiōs of treasons, and murders, within the shires and places limitted by their commission, by such good and lawful persons, as shalbe returned before them by the sherife, his minister, or other, hauinge power to returne writtes and proces for that purpose, in whatsoeuer other shire or place within the Quéenes dominiōs, or without, such offences were committed, tricesimo tertio Henrici octaui vicesimo tertio. What challenges the offendor in this case shall haue S. Challenge. 8. Trial of treasō & murders, by special commission.

10 ¶ All offences being made or declared, or to be made &c. Treasons, misprisions of treasons, or concealements of treasōs, and done or committed by any person out of this realme of England, shalbe enquired of, heard and determined before the Justices of the Kinges Benche, by good and lawfull men of the same shire where the saide bench shal sit and be kept, or els before such Commissioners, and in such shire of the Realme, as shalbe assigned by the Quéenes commission, and by good and lawful men of ỹ same shire, in like maner to all intentes, as if such offences had béene cōmitted within the same shire where they shalbe so enquired of, Trial of treasons cōmitted out of the realme.

heard and determined. 26. Henrici. 8. 13. 35. Henrici octaui. 2. 5. Edwardi sexti. 11.

Outlawry of an offendor being out of the realme.

11 ¶ All proces of outlawrie to be made within this realme, agaynst any offendours in Treason being reliant out of this Realme, or beyond the sea, at the time of the outlawrie pronounced against them, shalbe as good and effectuall in the lawe to al intēts, as if any such offendors had bene resident within this Realme at the time of suche proces awarded, and outlawrie pronounced. But if the partie so outlawed shal within one yeare next after the sayde outlawry pronounced, or iudgement geuen thereupon, yeld him selfe vnto the chiefe Justice of England for the time being, and offer to trauerse the said indictment or appeale whereupon the said outlawrie shalbe pronounced, then he shalbe receyued to the sayde trauerse, and being thereupon foūd not guiltie by the verdict of xij. men, he shalbe clerely discharged of the sayde outlawrie, and of all penalties and forfaytures by reason of the same in as ample manner, as though no such outlawrie had bene made. 26. Henrici. 8. 13. 5. Ed. 6. 11.

Trial of treasons cōmitted where the Queenes writ rūneth not.

12 ¶ All such Treasons and misprisions of treasons which anie person shal commit within the principalitie of Wales & marches of the same, or els where wīn any the Queenes dominions, where her original writs in the Chauncery of England rūne not, shalbe presented & tried by the othe of xij. men, which shal inhabite within any such Shires, and before such Commissioners, as the Queene from time to time in such cases shall assigne by her Commission or commissions of Oyer and Terminer, in like maner, as if such offences has ben committed within the said shires into the which the said commissions shalbe directed. And al presentments, trials, proces, iudgements, executions, & forfaitures made, had or done by vertue of such commissions, shalbe good and effectuall in the lawe to al purposes &c. 32. H. 8. 4.

Trial of treasō.

13 ¶ All trials to be had, awarded, or made for anie treason shalbe had and vsed, onely according to the due order and course of the common lawes of this realme, and not otherwise. 1. & 2. P. & M. 10. Quere if this do take away, or diminish the force of any of the other braunches. 25. 9. 10. 11. 12.

Quere.

Attainder of treason by the common law of as great strēgth as by parliament.

14 ¶ If any person or persons shalbe attainted of high treason by the course of the cōmon lawes or statuts of this realme, in euerie such case, euery such attainder by the cōmon lawe shalbe of as good strength, value, force, & effect, as if it had ben done by aucthorite of parliament. And the Queene her heires & successors shal haue as much aduantage by such attainder, aswel of vses, rights, entries, condicions,

condicions, as possessions, reuersions, remainders, and al other thynges, as it it had bene done and declared by auctoritie of Parliament, and shalbe deemed and auuoged in actuall & reall possessiō of the lands, tenements, hereditaments, vses, goods, cattailes & all other thyngs of the offēdors so attainted which her highnes ought lawfully to haue, & which they so being attainted, ought or mought lawfully lose and forfait. if the attainder had bene done by auctoritie of parliament, without any office or inquisition to be found of the same, any lawe, stat. &c. notwithstāding. Sauing to al & euery person & persons & bodies politike and their heirs assignes & successors & euery of them, (other then such person & persons, which shalbe attainted of high treasō, & their heires & assignes, and euery of them, & all & euery other person and persons clayming by them or any of them, or to their vses, or to the vses of any of them, after the sayed treasons committed) all such right, title, vse, possession, entrie, reuersions, remainders, interests, conditions, fées, offices, rētes, annuities, commons, leases, & al other commodities, profits, & hereditaments whatsoeuer they or any of them, should, might, or ought to haue had, if thys act had neuer beene made. Anno. 33. Henrici. 8.20.

1 Treason for the second refusal of the othe, for the Queenes supreme gouernment ouer al estats. S. Queene 8.

2 Treason in compassing to depose or destroy the Queene, or to leuy vvarre &c. or in affirminge that she ought not to enioy the Crovvne, but some other. S. Queene. 13. 14. 17. 19.

3 Treasō in affirming that the Queene is an heritike, schismatike tyrant, infidel, or vsurper. S. Q. 17. 24.

4 Treason in maintaining that the cōmon lavves or statut lavves doe not lymit or bind the right of the Crowne. S. Queene. 20.

5 Treason in maintaining or extolling the aucthoritie of the Bishop or sea of Rome. S. Rome. 1.

6 Treason in obtaining any bull or instrument from Rome, or in geuing or taking absolution thereby. S. Rome. 2. Premunire. 5.

7 Treason in conspiring to set any person at libertie, committed to prison by the Queenes commaundement, for treason, or suspicion thereof touching her person. S. Prison. 8.

8 For the forfaitures in high treason, S. Forfaiture. 2.

9 That peremptorie challenge is not allowable in cases of highe treason and misprision. S. Challenge. 10. 11.

10 Treasō in vvithholding any of the Queens castels, destroying of her shippes, or barring any of her hauens. S. Castels. 2.

11 Misprision of high treason in concealinge of a Bull or other instru-

instrument from Rome, or absolution offered. S. Rome. 4.

12 For triall before the Sheriffes or in court Barons in Wales. S. Wales. 42. 55.

¶ Triall.

Triall where the striking or poysoning is within one coũtie, and dieth in an other.

WHere any person shalbee felonously striken or poysoned in one countie, and die of the same stroke or poysoning in any other countie, then an indictment thereof founde by Jurors of the countie where the death shall happen, whether it be found before ỳ Coroner, vpon the sight of such dead body, or before the Justices of peace or other Justices or commissioners which shall haue authoritie to inquire of such offences) shalbe as good in lawe as if the stroke or poysoning had ben committed in the same coũty where the partie shall die, or where such indictment shalbe so found. And the Justices of gaole deliverie, and oyer and terminer in the same countie where such indictment shalbe taken, and also the Justices of the kinges Bench after such indictment shalbe remoued before them, shall and may proceede vpon the same in al points, as they should or ought to doe in case such felonious stroke or poysoning, and death thereof insuinge, had growne in all one same countie, And such partie to whom appell of murder shalbee giuen by the lawe, may commence, take, and sue appell of murder in the same countie where the party so felonously striken, or poysoned, shal dye, as well agaynst the principall and principalles, as against euery accessorie to the same offences, in what so euer countie or place ỳ accessorie shalbee guiltie to the same, and the Justices before whom any such appel shalbee commenced, sued and taken, wythin the yeare and day after suche murder and manslaughter committed, shall proceede agaynst euerie suche accessorie in the same Countie where such appell shalbee so taken, in like manner and fourme, as if the same offence of accessorie had beene committed in the same Countie where such appel shalbee so take, as well concernynge the tryall by the Jurors of the Countie where suche appell shalbee taken, vppon the plee of not guiltie pleaded by suche offendour, as otherwyse. Anno secundo Edwardi. 6. 24.

Appell of murder in the coũtie wher the death ensueth.

Appel against the accessorie.

Triall of an accessorie in one coũtry to an offence done in an other.

2 ¶ Where any murder or felonie shalbee committed in one Countie, and an other person or moe shalbee accessorie to the same in any other Countie, then an indictment found or taken against such accessorie and accessories vppon the circumstance of such matter beefore the Justyces of the peace, or other Justyces, or commissyoners to inquyre of felonies, in the Countie where suche offences

offences of accessorie shalbee committed, shalbee as good in the lawe, as if the said principall offence had bene committed within the same Countie, where the same indictment against such accessorie shalbee found. And the Justices of gaole delyuerie, or oyer and terminer or two of them, of, or in such Countie, where the offence of any such accessorie shalbee committed or done, (vpon suit to them made) shall writ to the Custos rotulorum, or keepers of the Records, where such principall shalbee attainted or cõuict, to certifie them whether such principall be attainted or conuicted, or otherwise discharged of such principall felonie, who vpon such writing shall make sufficient certificat in writing vnder their seale or seales to the said Justices whether such principall bee attainted, conuicted or otherwise discharged, or not. And after ẏ they doe certifie that such principall is attainted, conuicted, or otherwise discharged of such offence, then the saied Justices &c. shal proceede vpon euery such accessorie, in the coũtie where he became accessorie, in such maner and fourme, as if both the saied principall offence and accessorie had bene cõmitted in the said Coũtie where the offence of accessorie was committed, and euery such accessorie and other offendors aboue expressed, shall aunswere vpon their arraignements, and receiue such triall, iudgement, order, & execution and suffer such forfaitures, as is vsed in other cases of felonie. An. 2. Ed. 6. 24.

Trial of forein plees.

3 ¶ All foreigne plées triable by the countrie, pleaded by any person arraigned vpon any indictment, for any petit treason, felonie, or murder, shalbe forthwith tried by the same Justices before whom such person shalbe arraigned, & by ẏ same Iurors of ẏ same countie, that shall trie the petit treason, murder or felonie, whereof he shalbe so arraigned, without any further respect, or delay, in whatsoeuer countie or place of thys realme ẏ matter of the same plées be supposed or alledged. 22. H. 8. 14. 32. H. 8. 3. And if any person arraigned for murder or felonie plede that he was taken out of a priuiledged place in a foreigne countie, & that be denied. the same shalbe tried before ẏ same Justices, & by the same Iurie that shall trie ẏ murder or felonie. 4. H. 8. 2. 22. H. 8. 2.

Taken out of sanctuarie.

Triall of murders &c. done within the Queens palace

4 ¶ All treasons, misprysions of treasons, murders, manslaughters, bloudsheds, and other malicious strikings by reason whereof bloud shalbe shed against the Quéenes peace, which shal be done wythin any the Palacies or houses of the Quéene, or her heires, or wythin any other house or houses, at such tyme as her Maiestie shalbe then abyding in her royall person shalbe inquired of,

of,tried, heard, and determined within any the Quęenes houses, or other house where her maiestie shalbe abiding,before the Lorde Steward of the Quęenes houshold, and in his absence before the Treasourer and Comptroller of the Quęenes houshold,and Steward of the Marshalsie for the time being,or two of them,whereof the Steward of the Marshalsie to be one, by vertue of their offices, without any commyssion or other auctho:itie to them giuen. And whether the Quęene shalbe remoued from the house where such offences shalbe done or not, before they be inquired of,heard, & determined, yet such offences shalbe inquired of,tried, heard, and determined before the Quęenes officers of houshold before named or two of them, by the inquisition and verdict of her houshold seruants in her checke roll, at such Palace or house where her Maiestie shalbe at any tyme abydinge. Tricesimo tertio Henrici octaui. 12. For the limits of the Quęenes Palace S. Fighting. 1.

Enquirie of bloudsheds by the yeoman officers.

5 ¶ The two Clerkes, Comptrollers, Clerkes of the Checke, and Clerkes Marshals, for the time beeinge of the Quęenes houshold, or one of them, vppon a precept to them, or any of them made, by the Lord Steward, or in hys absence by the said Treasourer and comptroller of the Quęenes houshold, and the sayed Steward of the Marshalsie, or by two of them, whereof the said Steward of the Marshalsie to bee one, haue power to summon, warne, and returne the names of foure and twentie persons being yeomen, officers of the Quęenes sayed houshold in the sayed Checke roll, to inquire of such treasons, misprisions of treasons, murthers, manslaughters, and other malicious striking, by reason whereof bloud shalbe shed against the Quęenes peace, before the sayed Lorde Steward or &c. Treasourer, Comptroller and Steward of the Marshalsie, or before two of them &c. And it shalbe lawful to them before whom such returnes shalbe made, to cause such number of the sayed foure and twenty persones so returned, aboue the number of twelue persons, as to him or them shall seeme expedient, to inquire of such treasons, misprisions of treasons, murthers, manslaughters, and other malicious strykings, by reason whereof bloud shalbe shed against the Quęenes peace within the said Palaces, or other ỹ saied houses at any time cõmitted &c. 33. H. 8. 12.

Arraignement of an offendor indicted.

6 ¶ And if any person or persones bee indicted by the saied Jurie, or by inquisition before the Cozoner of the sayed houshold, & certified before the said Lord Steward &c. or Treasourer, Cõptroller

troller and Steward of the Marshallie, or two of them, whereof ỹ sayed Steward of the Marshallie to be one, then immediatly the said Lord Steward or &c. treasorer, Comptroller, and Steward of the marshalley or two of them &c. before whom the saide presentment, inquisition, or indictment shalbe so found, or certified by ỹ said Coronor, shall arraigne before them euery such persõ so indicted, according to the course of the commõ lawe, and forthwith after issue ioined betwene the Quéene and the prisoner so arraigned the same day and place, or any other shall make an other precept to the said Clerkes, Comptrollers, Clerkes of the Checke, and Clerkes Marshals of the said houshold, or to one of them, to summon and returne one Jurie of xxiij. persons, to appeare before ỹ said Lord Steward or &c. Treasourer, Comptroller & Steward of the Marshallie or two of them &c. at such day, tyme, and place, and vpon such paine as shalbee then limitted of the Seriants and gentlemen officers of the Quéenes Chamber, and of the sayed houshold which shall take wages by the Quéenes checke roll. And the said Lord Steward or &c. Treasurer, Comptroller, and steward of the said Marshallie or two of them &c. before whom such Jurie shalbe so returned, shall cause twelue of the same Jurie to be sworne truely to trie betwéene the Quéene and such person as shalbe so indicted & arraigned of such treasons, misprisions of treasons, murthers, manslaughters, & other malicious strikings, by reason whereof bloud shal be shed against ỹ Quéenes peace, or any of thẽ. 33. H. 8. 12. what challenge he which is in thys sort arraigned shal haue. S. Challenge. 9.

7 ¶ If such person so indicted and arraigned be found guiltie of any treason, misprision of treason, murthers, or manslaughters, then he shall haue iudgement of life and member, and suffer suche paines of death, and shall forf. &c. in like maner as if hee had bẽene found guiltie of any the saied offences, by the order of the common lawes. 33. H. 8. 12. how he shalbée punished which striketh malyciously within the Quéenes Palace, whereby bloud shalbée shead. S. Fighting. 1. The punishment of the partie attainted.

8 ¶ Ladies of great estate by. Duchesses, Countesses, or Baronesses, which shalbe indicted of any treason or felonie by them done, whether they be married or sole, shalbée brought to their aũswere, and putt to aunswere, and iudged before such Iudges and Peares of the Realme, as Peares of the Realme should bée, if they were indicted or impeached of such treasons or felonies committed, and in lyke manner and fourme, and none otherwyse. An. 20. H. 6. 9. The order of the triall of Ladies.

9 ¶ If

Trial of a deede dated where the Queenes writt runneth not.

9 ¶If a releaſe or other dæde be pleaded in Barre in Aſſiſe, or other plees of lande, or in any action grounded vpon a contract, couenant, or treſpas beinge dated within any fraunchiſe where the Quæenes writte runneth not, it ſhalbe tried in the countie where the accion is brought, and if witneſſe be in the dæde, proces ſhall be made in the ſame countie, and if the witneſſes doe not come at the graund diſtreſſe returned, the Juſtices ſhall take the enquest as well as if the dæde had borne date in the ſame county where ẏ ſuit was moued, & that the witneſſes had ben of the ſame county 9. Ed. 3. 4.

1 For the triall of treaſons, miſpriſion of treaſons and murders by ſpeciall commiſſion. S. Treaſons. 9. Piracie. 1.

2 For the triall of Treaſons, committed out of the Realme. See Treaſon. 10.

3 For the triall of treaſõs committed in VVales, & vvhere the Queenes vvrit runneth not. S. Treaſon. 12.

4 That trials of treaſon ſhalbe accordinge to the courſe of the common lavves. S. Treaſon. 13.

5 VVho ſhallbe admitted to paſſe in triall of felonies & treaſõs in corporate tovvnes. S. Iurors. 15.

6 VVhere trials ſhalbe de medietate linguæ, & vvhere not. See Iurors. 29. 30. Attaint. 21.

7 For the triall of him vvhich imbefelleth a Record. See Felonie. 18.

8 By vvhom baſtardie alledged in him that is borne beyõd the ſea ſhalbe tried. S. Abilitie. 2. Baſtardie. 4.

9 VVhere a thing done in a forreigne regiõ ſhalbe tried vvithin this realme. S. Braſſe. 2.

10 For the punishmẽt of a felon vvhich refuſeth lavvfull trial S. Felonie. 36.

11 For the triall of offences done vpon the maine ſeas. S. Piracie. 1. 2. 4.

12 For the triall of any matter alledged by a roge in the ſecõd degree vpon his arraignement. S. Vagabonds. 7.

¶Turne of the Sheriffes.

At what tyme the ſheriffe may hold his turne.

NO Sheriffe nor his Bailiffe ſhall holde his Turne but in the due and accuſtomed place, and but twiſe in the yeare, that is, once within a moneth after Eaſter, and an other tyme within a moneth after Michaelmas (And if he do hold his Turne in other maner he ſhall loſe his Turne for that time. 31. Ed. 3. 14.) And the view of frankpledge, ſhalbe at that feaſt of S. Michael without any

ny staye, so that euery man may haue his liberties. And the view of frankepledge shalbe so vsed, as that the Quenes peace may be preserued, & that ỹ Trything may be kept whole, as it had wont to be. And the Sheriffe shall seeke no occasion but be content with that, which the sherife hadd wont to haue at his leet in ỹ time of kynge Henry the second. Mag. Chart. 9. H. 3. 36.

Persõs exempted.

2 ¶ Archbishops, Bishops, Earles, Barons, & women, needе not to come to ỹ sheriffs turnes, except their presence for any cause be specially required. And they which haue land in diuers hundreds needе not come to such turnes, but in ỹ bayliwickes where they be conuersant. Marleb. 52. H. 3. 10.

Apparell.

3 ¶ Sheriffes in their turnes shal & may inquire, heare, and determine al offences committed within the limmittes of their authorities, contrary to the statute prouided. 1. &. 2. P. &. M. for reformation of excesse in apparell, and may vpon the conuiction of any offendor award proces to the sherife of any shere within this Realme, for the apprehension of the said offendor. 1. &. 2. P. &. M. 2 S. Apparell.

Apparell.

4 ¶ And also they may there inquire of al offẽces & forfaitures committed contrary to the statute prouided. 24. H. 8. for the reformation of excesse in apparel, & assesse fines according to ỹ said stat. 24. H. 8. 13. S. Apparell.

Horsebread.

5 ¶ And also they may there inquire and determyne euery default and offence of hostlers, making horse bread (not of sufficient lawfull and due assise according to the price of Corne) commytted within the limits of their iurisdictions. 32. H. 8. 41. See Inholders. 2.

Attachmentz in the marches.

6 ¶ And also they may there inquire of attachmẽts made by the officers of the courtes of the East marches, or West marches out of any of the counties of Westmerland, Cumberlãd, or Northumberland or the towne of Newcastel vppon Tine, & therein procede as they may vppon presentments taken before them in their turnes of tresspasses, or affraies made against the Quenes peace. 31. H. 6. 3. S. Marches. 1.

Wines.

7 ¶ And also they may there inquire by ỹ othes of xij. lawfull men, of al offẽces committed contrary to ỹ stat. prouided. 7. Ed. 6. to auoide ỹ prices & excesse of Wines, & euery presentmẽt takẽ by ỹ othes of xii. men, shalbe of such force, as if ỹ same were taken in the kings Bench. 7. Ed. 6. 5.

1 What Iurours shalbee returned in a Sheriffes turne. See Iurors. 14.

2 That

2 That an Indictor in the sheriffes turne, vvhich is sued in a spiritual court shall haue a Prohibition. S. Prohibition. 7.

¶ Vagabondes.

Who shalbe accompted vagabondes.

ALL and euerie such person and persones that bee, or vtter themselues to be Proctours or Procurators going in any countrie within this Realme without sufficient authoritie derived from the Queene, and all other vole persons going about in any countrie of the said Realme, vsing craftie and vnlawfull games, and some of them fayning thē selues to haue knowledge in Phisnomie, Palmestrie, or other abused sciences, whereby they beare the people in hande they can tell their destinies, deathes, and fortunes, and such other like fantastical imaginations. And all and euery person and persons, being whole, and mightie in bodie, and able to labour, hauing not land, or maister, nor vsing any lawfull merchandize, craft, or misterie, whereby he or shee might get his or her liuing, and can giue no reckoning how he or she doth lawfully gett his or her liuing, And all Fencers, Bearewardes, common players in Enterludes, and minstrels, not belonging to any Baron of this Realme, or towards any other honourable personage of greater degree, Al Juglers, Pedlers, Tinkers, & petie Chapmē, which saied Fencers, Bearewardes, common players in Enterludes, Minstrels Juglers, Pedlers, Tinkers and petie Chapmen shall wander abrode, and haue not licence of two Justices of the peace at the least, whereof one to be of the Quorum) where & in what shere they shall happen to wander. And all common labourers being persons able in bodie, vsing loytering, and refusing to work for such reasonable wages as is tared and commonly giuen in such parts where such persons shall dwell. And all counterfaitours of licences, pasportes, and all vsers of the same, knowing the same to be counterfeit. And all Scholers of the Vniuersities of Oxforde or Cambridge, that go about begging not beinge authorized vnder the seale of the saied Vniuersities by the commissarie, Chauncellour, or Vicechauncellour of the same. And all shipmen pretendinge losses by Sea, other then such as shalbee hereafter prouided for. And all persons delyuered out of Gaoles that begge for their fees, or do trauell to their countries or frindes, not hauing licence from two Justices of the peace of the same countie where her or shee was deliuered, shalbe adiudged Roges, Vagabondes, & sturdie beggers intended of by this Act, together with all and euery such other persons as for altering and breaking of such good or-

ders

ders as in the Act eſtabliſhed for the relieſe of the aged, and impotent poore people are declared to be vagabondes. 14. El. 5. S. Poore people. 4.8.16.

2 ¶ Euery perſon aboue the age of viij. yeares, being ſet forth by this Act to be a roge, vagabond, or ſturdie begger, and which ſhall be at any time taken begging in any part of this Realme, or taken vagrant, wandring, and miſordering him ſelfe, contrary to the purpoſt of this act in any part of the ſame, ſhall vpon his apprehenſion be brought before one of the Juſtices of the peace, or Maior, or chiefe Officer of Cities, Boroughes, and Townes corporat, within the Countie, Citie, Borough, or Towne corporat, where the apprehenſion ſhalbe, and by the ſaid Juſtice, or head officer preſently committed to the common gaole of the ſaid County being apprehended within the Countie, or els ſuch other place, as by the Juſtices of peace of that Countie, or three of them at any their generall ſeſſions ſhalbe appointed. And if he be taken within any Citie, Borough, or Towne corporat, then to be committed to the priſon of the ſaid Citie, Towne &c. there to remayne without bayle or mainprize vntill the nert ſeſſions of the peace, or generall Gaole deliuerie for the ſaid ſhire, Citie, Towne &c. to be holden which ſhal firſt happen. 14. El. 5. S. Iuſtices of peace 77.

A vagabond ſhalbe vpon his apprehenſion committed to the gaole.

3 ¶ Euery ſuch Roge apprehended, ſhalbe conueied by the Conſtable or other officers of the Pariſh where ſuch apprehenſion ſhal be, but to the Conſtable, Tythingman, or other officer of the nert townſhip, or pariſhe in the nert hundred, and ſo from one hundred to an other, by the Conſtables, Tythingmen, or officers of euerie ſuch townſhip or pariſhe, which ſhalbe nert in euery ſuch hundred, the direct way vntill they ſhal come to the gaole or priſon appointed for ſuch roges, and euery ſuch officer ſhal accordingly conuey ſuch roges vnder the paine of forfaiture of vi. s. viij. s. 4. El. 5. 18. El. 3.

By whom a roge ſhalbe conueyed to the gaole.

4 ¶ At the nert Seſſions or gaole deliuerie, if ſuch perſon ſo committed to priſon be duely conuict of his or her rogiſh trade of life, either by enqueſt of office, or by the teſtimonie of two honeſt and credible witneſſes vpon their othes, then immediatly he or ſhe ſhalbe adiudged to be greeuouſly whipped, and burnt thorough the griſtle of the right eare with an hot yron of the compaſſe of an inch about, manifeſting his or her rogiſhe kinde of life, and puniſhment receyued for the ſame, whereof entre ſhalbe made of record by the Clerke of the peace of the ſame ſhire in the Recordes of the ſame Seſſions, which iudgement ſhal alſo preſently be executed, except ſome honeſt perſon valued at the ſubſidie nert before

The firſt puniſhment of a vagabond.

that time to v.li. in goods, or xx.s. in landes, or els some such honest houlholder as by the Justices of the peace of the same Countie or two of them shalbe allowed, will of his charitie be contented presently to take such offendor before the same Justices into hys seruice for one whole yeare next following, and to that end will presentlie before the said Justices enter into band by recognisance to the vse of the Quéene, to pay to our said soueraigne Ladie the summe of v.li. if he kéepeth not the said offendor in his seruice by the space of the said whole yere, and to bring him or her vnto the sessions at the yeares end, or then good proofe of his or her death during the said yeare, the said Clerke of the peace taking for the said recognisance but xij. pence onely. And if such vagabond so taken in to seruice departe within the said yeare, from the said seruice, agaynst the wyll of him that so taketh hym or her into seruice: Then the sayd Vagabonde shalbe whypped and burnt thorough the gristel of the right Eare wyth a hot yron, as is aforesayde. 14. Elizabeth 5.

xii.s. a Recognisance.

Discharge of imprisonment by suertie.

5 ¶But if the said person so committed come before the next Sessions or the next gaole deliuery to be holden for the said Countie, or before their cõmitting, & doe finde any such suerty as is next before recited, to be boũd in forme aforesaid for him or her, for one whole yeare, then he shall not tarrie in the gaole till the next Sessions or gaole deliuerie. 14. El. 5.

The second punishment of a vagabond.

6 ¶The said person so marked, or adiudged to be burnt, shall not be dealt withall againe by way of punishment by the space of xl. dayes next after the said punishment executed, or adiudged to be burnt, if he or she haue licence for the said xl. dayes from two Justices of the peace of the same shire, testifiyng the punishment receyued, or iudgement giuen. But if after the said punishment executed or iudgement gyuen, the said person doe after lx. dayes next after he or she shal so be marked, either in the same Countie where he or she was so marked, or hauing receiued such iudgemẽt or els in any other Countie within England or Wales, being of the age of xviij. yeares or aboue, doe eftsones fall againe to any kinde of rogish trade of life, then the said Roge from thencefoorth shalbe taken and adiudged in all respects as a felon, and shall in al degrées suffer and forfait as a Felon, except some honest person valued at the last subsidie next before that time to x.li. in goodes, or xl. shillinges in landes, or els some such honest houlholder, as by the Justices of peace of the same Countie or two of them shalbe allowed, of méere charitie will be contented before such Justices as the said vagabond shalbe arraigned of felonie, to take hym or

her

her into his ſeruice for two whole yeares then next followinge, and then before the ſame Juſtices will preſently put in bond by recognisãce of x. pound to be leuied of his lands, tenements, goods, and cattels, to the vſe of our ſaid ſouereigne Ladie, if he keepeth not the ſaid offendor in his ſeruice for two wholes yeares, and bring him or her vnto the Seſſions at the ſaid two yeares ende, or good proofe of hys or her death. And if ſuch vagabond ſo taken in ſeruice depart within the ſame two yeres from his or her ſayd ſeruice, againſt the will of hym that ſo toke him or her into ſeruice, then ſuch vagabonde ſhalbe taken and adiudged as a felon in all reſpectes, & ſhall ſuffer and forfait as a felon without allowance of Clergie or Sanctuarie. 14. El. 5.

7 ¶If any ſuch perſon inquirable of, as of a roge in the ſecond degrée, ſhall after his firſt conuiction, eyther by curing, or alteration of the Marke, or by alteration of name, or denying to be the ſame perſon, or by any other meanes goe about to auoyde the hauing of his further punishment, the ſame or any ſuch other allegation ſhalbe conſidered of, and tried by the Jurie vppon the arraignement as parcell of their euidence, and as they ſhall in their conſciences finde the proofes, circumſtances, and euidences, ſo to giue their verdict, which ſhalbee a ſufficient triall in law, without any further Certificat, or triall of the former Record, or conuiction, from any other Countie or place, or by any other meane. 18. El. 3.

The trial of any matter alledged by a roge to auoid his punishment.

8 ¶If the Roge in the ſeconde degrée indicted, and by confeſſion, or verdict afterwardes conuicted, ſhall afterward a third or fourth, or other time after be indicted and conuicted of Rogiſhe life, then he ſhall ſuffer to all reſpectes as a Felon, without allowance of Clergie. But this Act ſhall not extend to make any perſon or perſons acceſſorie to the ſaid felonies made by thys Statute, nor any attainder by any the felonies aforeſaid, ſhalbe any corruption of bloude in the iſſues or line of the perſon attaynted, 14. El. 5. 18. El. 3.

A roge in the iii. or iiii. degree.

No acceſſorie nor corruption of bloude.

9 ¶This Acte ſhall not extend to the punishment of any ſuch perſons as by this ſtatut are limitted for Roges, vnleſſe the ſame be of the age of xiiij. yeares or aboue, but euery of them vnder that age ſhalbee punished wyth whypping or ſtockinge, as herebefore hath beene vſed and appoynted by the lawes and Statutes in that caſe prouided, and in all other reſpectes repealed. 14. Elizabeth 5.

Roges vnder xiiii. yeares of age.

10 ¶If within any Towne or Pariſh where any ſuch vagabond ſhall begge or make his abode contrarie to the forme of this

Forfaiture for not apprehending of vagabonds.

ſtatute, the Conſtable or Tithingmen be negligent, and doe not his or their beſt indeuour for the apprehenſion of ſuch vagabonde, or ſhall willingly ſuffer the ſaid vagabond to eſcape from the puniſhmẽt in this ſtatut preſcribed: Then the ſaid Conſtable or Tithingmen in whom ſuch default ſhalbe, ſhall forfait for euerie ſuch vagabond and vagrant perſon that ſhalbe ſuffered to begge or make abode within his auctoritie vi.s. viij. pence. But Shipmen and Souldiers hauinge licence of the next two Juſtices of peace to the place where they firſt entered into this Realme may paſſe according to the purport of their licence, and intent of thys Acte. 14. El. 5.

Shipmen & Souldiers.

Relieuing of rogues.

11 ¶If any perſon giue any harborough, money, or lodging, or any other reliefe to any vagabond, either marked, or not marked, not hauing ſuch a licence as is before recited from two Juſtices of the peace, then in continuance, and that duely proued before the Juſtices of the peace at their quarter Seſſions, he ſhall make ſuch fine to the Quéene, as by the ſaid Juſtices, or the more part of them at their generall Seſſions ſhalbe aſſeſſed, ſo as the ſame excéede not xx.s. But all gouernors of Hoſpitalls may harbour any aged or impotent perſon of charitie, or giue money in almes, (as they are bound to doe by their foundation) to ſuch impotent or aged perſon, 14. El. 5.

Reſiſting the execution of this ſtatut.

12 ¶If any perſon doe diſturbe the execution of this Acte, or make reſcues againſt any Maior, Shirife, Bailife, or other perſon that ſhall endeuour himſelfe about the due execution hereof, he ſhall forfaite v. pounde, and be impriſoned at the Quéenes pleaſure. 14. El. 5.

No licence ſhall extẽd but in the County where the graunter is Juſtice.

13 ¶No licence recited in this ſtatut ſhall giue any libertie, or be of any force, but onely in the ſhire whereof the graunter or graunters of ſuch licence ſhalbe Juſtice or Juſtices of peace, wherfore if the ſaid partie licenced will haue any further paſſage without the daunger of this lawe, then the Shire where hys firſt licence is graunted, he muſt procure in euery other ſhire where he intendeth to paſſe one other licence from two Juſtices of the peace of the ſayd ſhire, and ſo from ſhire to ſhire to the ende of hys Journey. 14. El. 5.

Harueſt folkes.

14 ¶This Act ſhall not extend to any Cockers or Harueſt folkes that trauell into any countrey of this Realme for Harueſt worke, either Corne or Hay harueſt, if they doe worke accordingly, neither yet to any that happeneth to be robbed or ſpoiled by the way, neither yet to any Seruingmen that be of honeſt behauiour, ỳ be turned frõ their maſters, or whoſe maſter or maiſtres ſhalbe

Perſons robbed by the way.

dead,

dead, for the space of fire monethes next after such turninge away or death, so as euerie such Seruingman hath a Testimoniall from his Maister or Maistres, or from two Justices of ỳ peace of the same Countie, declaring such turninge away, or such death &c. 14. El. 5. Seruingmen.

15 ¶It shalbe lawfull to the Lord Chauncellor, or lord Keeper of the great seale, to make licence vnder the great seale as heretofore hath bene accustomed, & the said licences shal as largely extend as the contents of them will beare. 14. El. 5. Licences vnder the great seale.

16 ¶This Acte shall not extende to make void any safeconduite, passport, or licence graunted by the Lord deputie of Irelande, by the lord Gouernor of Barwicke, or Carlile, or any other chiefe Captaine or Gouernor of any Castell or fortresse of the Quéenes, or by any other in their absence, hauinge the charge of the sayde Townes and Garisons, or by any the Guardians of the three Marches towardes Scotland, or by any generall Lieutenant, or other chiefe Officer appointed by the Quéene to haue the charge & conduction of any armie, garrison, or power of men leuied by her appointment, & for her special seruice, or by any priuat Captaine vpon the disperling of any armie, only to any souldier, or any other person whatsoeuer within England and Ireland, passing by verme thereof about his lawfull busines, but he or they shal quietly inioy the benefit thereof in as ample manner as heretofore it hath bene vsed. 14. El. 5. 18. El. 3. to continue from 15. die Marcij, An. Do. 1575. for vij. yeares, and from thence vnto the end of the next Parliament then next following. Passportes or licences by gouernors of Townes & Captaines.

1 What acte done by any seruant shal procure him to be punished as a vagabond. S. Laborers 8.

2 VVhat acte done by any poore or impotent person shall cause him to be accompted vsed or punished as a vagabonde. S. Poore people 4. 8. 9. 16.

3 That a vagabond after his second conuiction shal not haue his clergie. S. Clergie 3.

¶Villenage and Villaines.

VIllenage may be pleaded, and a villaine may be seised by his Lord, though the villaine haue a writte of Libertate probanda hanging. 25. Ed. 3. 18. vpon their Lords request special Commissions shalbe graunted to the Justices of peace, or other sufficient persons to enquire of Villaines which doe vse them selues rebellioustie, and will not be iustified by their Lordes. And also of their councellors and mainteynors, which Commissioners shall Commissions to enquire of the misdemeanour of villeins.

haue power, to heare and determine the same, and to imprison the offendors. 1.R.2.6.

Villaines suing their Lordes.

2 ¶Though any mans villaine doe flie into any Citie, Towne, or place infranchised, and doe faine any suite against his Lorde to the intent by that meanes to become frée, yet the Lord shall not be barred of his villaine, because of his aunswere in lawe. 9.R.2.2.

Conisance of villenage.

3 ¶No writ shalbe abated by an exception of cognisãce of villenage, if the demaundant will auerre that he which alledged the exception was frée the day of the writ purchased. 37.Ed.3.17.

¶Vittailes, Vittailers.

Vitails brought to London.

EVery man that bringeth vittailes whatsoeuer they be to the Citie of London, by land or by water, may freely sell the same to whom it shall please him, without being interrupted or impeached by any Fisher, Butcher, Poulter, or any other whatsoeuer. And the Maior & Aldermen of the said Citie may rule & redresse the defaults of Fishers, Butchers, & Poulters, as they doe of those which sell bread, ale, or wine. 31.Ed.3.10. 7.R.2.11.

Aliens bringing in vittaile may sell thē in grosse, or by retaile.

2 ¶All Forreins and Aliens beinge in frindship wyth the Quéene and the Realme, and commynge within the Citye of London and other Cities, Boroughes, and Townes within the Realme, aswell within liberties as without, with fishe & al other vittailes, and there tarrying and returning againe to their owne Countries, shalbe vnder the Quéenes sauegard, and speciall protection. And it shalbe lawfull to them and euery of them to cut their fishe, and vittailes in péeces & in part, by retayle, or in grosse, as it shall séeme best vnto them to sell the same, and make their profite thereof without the hindrance or contradiction of any man. 6.R.2.10. 1.H.4.17. And if any man disturbe any Forreine or Alien to sell their fishe in grosse, or by retaile, in part, or in the whole, contrarie to the forsaid ordinance, and is thereof attainted at the Quéenes, or the parties suit, he shall forfayte fortie pounde. And he that will sue for the Quéene, or for him selfe shall haue the one halfe, and the Quéene the other. And he that will sue for the Quéene, or himselfe, for any offence committed within the Citie of London contrarie to the forsaid statut, may sue in what Countie he wil of the Counties of Middlesex, Hartforde, Essex, Kent, Surrey, or in the Citie of London. 14.H.6.6.

The prices of vittailes assigned by the Justices of peace.

3 ¶Wittaylers shal haue reasonable gayne, and no more, according to the limitation & discretion of the Justices of peace, vpon payne to bée grieuously punished after the discretion of the same Justices

Justices where no paine is limitted in certeyne. 13. R. 2. 8.

4 ¶Butchers, Fishmongers, Hostelers, Brewers, Bakers, Pulters, and all other sellers of all manner of vittayle, shalbe bound to sell the same vittaile for a reasonable price, hauinge respect to the price that such vittayle is solde at in the places adioyninge, so that the same sellers haue a moderate gaynes, and not excessiue, reasonably to be required, accordinge to the distance of the place from whence the said vittayles be carried, and if any sell such vittayles in any other maner, and thereof be conuict, he shall pay the double of the same that he so receiued to the partie damnified, or in default of him, to any other that will pursue in hys behalfe. And the Maiors, and Baylifes of Cities, Boroughes, Merchant Townes, and of the Portes of the Sea, and other places, haue power to enquire of all and singuler which shall in any thing offende the same, and to leuie the said payne to the vse of them at whose suyte such offendors shalbe conuict. And in case the same Maiors and Bailifes be negligent in doing execution of the premisses, and thereof be conuict before the Quenes Justices, then the same Maiors and Bailifes shalbe compelled by the same Justices to paye the treble of the thinge so solde, to the partie damnified, or to any other in default of hym that will pursue. And also shalbe greuously punished by the Quene. 23. Ed. 3.6. And no person other then such Maiors, Baylifes, or Gouernours, before rehearsed, hauinge franchises, and surueying of vittayles, and correction of the same, or other intituled by poynt of Charter shall by colour of any letters Patentes vse any Office of surueyinge, or correcting of vittaylers within any Cityes, Boroughes, or other places vppon payne of forfayture for euerie default to the Quene and Informer xl. pounde, to be recouered by Action of debt, wherein no W. E. P. et. 12. Ed. 4. 8.

Vittails shalbe sold at reasonable prices.

5 ¶Upon euery complaint made of any enhaunsing of prices of Cheese, Butter, Capons, Hennes, Chickins, and other vittails necessarie for mens sustenance, without cause reasonable in anie parte of the Quenes dominions, the Lord Chauncellor, the Lord Treasorer, the Lord President of the Quenes councel, the Lord Priue seale, the Lord Steward, the Lord Chamberleyne, and all other Lordes of the Quenes Councell, the Treasorer, and Comptroller of the Quenes house, the Chauncellor of the Duchie of Lancaster, the Quenes Justices of either Bench, the Chauncellor, Chamberleines, vnder Treasorer, and the Barons of the Quenes Eschequer, or vij. of them at the least, wherof the Lord Chauncellor, the Lord Treasorer, the Lord President

The prices of vittailes assessed by the Queenes councellors & officers.

of the Quēnes Councel, or the Lord Priuie seale to be one, haue power from time to time, as the case shall require, to set and tax reasonable prices of all such kindes of vittailes aboue specified, how they shall bee solde in grosse, or by retaile, for reliefe of the Quēns subiects, & after such prices set & taxed in forme aforesaid, proclamation shalbe made in the Quēnes name, vnder the great seale, of the said prices in such part of this Realme as shalbe conuenient for the same. 25. H. 8. 2.

They which haue vittailes to sell, must sel them at the price taxed.

6 ¶ All fermors, owners, broggers, and all other vittaylers keeping any of the kindes of vittailes afore rehearsed to the intent to sell, shall sell the same to such the Quēnes subiects, as will buy them, at such prices as shalbe set by the said Proclamation, vpon the paines to be limitted in the said proclamation to be forfaited, & leuied to the Quēnes vse, in such wise as by the same proclamation shalbe declared. 25. H. 8. 2.

Head officers of corporat Townes may set prices of vittailes.

7 ¶ This Acte shall not be hurtfull to Maiors, Bayliues, or other Officers of Cities, Boroughes, or Townes corporat, nor to any persons, or bodies politique hauyng auctoritie to set prices of such vitailes or of any of them. but they and euerie of them may sett prices thereof, as if thys Acte had neuer beene made. 25. H. 8. 2.

No vittailz shal be transported without licence.

8 ¶ No person or persons (vnlesse it be by licence vnder the Quēnes great seale) shall carrie or conuey, or cause to be carried or conueyed, any Corne, Beefes, Buttons, Veales, Porkes, Butter, Capons, Hennes, Chickins, or other vittailes necessarie for mens sustenance, to any the parts beyond the Sea, (except onely for vittailing of Maisters, Mariners, and Merchants of shippes passing the Seas, and also except Barrelled butter, and meale to be carried to the parties of Ireland as hath bene accustomed) vpon payne of forfayting of the value of the thing carried contrary to this Act, to the Quēne and Informer &c. to be recouered by Action, &c. wherein no Wa. E. P. &c. 25. H. 8. 2. for the transporting of Corne. S. Corne. 1. 2. 6. 7.

How the prices of vitails shalbe assessed, when a vitailer is chiefe Officer.

9 ¶ No Officer in a Citie or Borough, which by reason of his Office ought to keepe the Assise of wines and vittailes, so long as he shalbe in office shall sell wine or vittailes in grosse, or by retaile, vpon paine to forfait the thing solde. 12. Ed. 2. 6. But whosoeuer any vittailer is chosen to beare any office within any City, Borough, or Towne corporat, which for the time that he shall in such office should haue the assessing, and correction for selling of vittailes, then two discreete and honest persons of the same City, Borough &c. neyther of them beinge a vittayler, shalbe chosen by the

by the communaltie of the same citie, Borough &c. in like fourme as the said officer shalbe chosen, which two persons with the sayd officer shalbe sworne truely to sette & set the prices & assises of vittaile there for ỳ time that any such vitailer shal abide in his said office. And then it shalbe lawful to euery of the said officers after ỳ same vittailes be set and setled by the same officer and the said two persons or one of them, (the other being absent) to marchant and sell wines and al other vitailes in grosse and at retaile during the time he shalbe in any such office, wout any thing therefore to forf. the forsaid statut of 12. Ed. 2. or any other statut notwithstanding An. 3. H. 8. 8.

10 ¶But this act shal not extend to discharge any minister of the Cities of London, Yorke, and Couentry, nor none of them for any wine or vittail to bee sold by any retail within any of the said Cities. 3. H. 8. 8. London, Yorke Couentrie.

1 A remedy against conspiracies made by vitailers for selling their vitaile. S. Artificers. 1. 2. Corporations. 7.

2 That no vitailer shalbe a taker for the Queenes carriage. S. Purueyors. 12.

¶Vpholsters.

NO person shal make, to the intent to sel, or offer to be solde, any fetherbed, bolster, or pillowe, except the same bee stuffed with dry pulled fethers, or cleane downe only, without mingling of scalded feathers, fen downe, thistle downe, sande, lyme, grauel, vnlawfull or corrupt stuffe, haire, or any other, vppon paine of forfaiture of al such featherbedes, bolsters, & pillowes, and euery of them so offered to be sold, or the value therof to the Quéene and ỳ. to be recouered by A. ỳ. &c. wherein no W. E. p. &c. 11. H. 7. 19. 5. Ed. 6. 23. What stuffe shal be put in fetherbeds, bolsters pillowes.

2 ¶No person shal make, to the intent to sel, or offer, or put to sale any quilte, matresse, or Cushions, which shalbee stuffed with any other stuffe, then fethers, wool, or flockes alone, vppon paine of forfaiture of al & euery such quilts, matresses, or Cushions so sold or offered to be solde, or the value thereof to the Quéene & ỳ. &c. to be recouered by A. ỳ. &c. wherein no W. E. p. &c. 11. H. 7. 19. 5. Ed. 6. 23. What stuffe shalbe put in quiltes matresses, cushions.

¶Vses.

WHere any person or persons be or shalbe seised of, and in any landes, tenements, rents, seruices, reuersions, remaynders, or other hereditaments, to the vse, confidence, or trust of any other person The estate in possession conueied to him that hath the vse.

person or persons, or of any bodie politique by reason of any bargaine, sale, feoffement, fine, recouery, couenant, contract, agreement, wil, or otherwise by any meanes whatsoeuer. In euery such case, euery such person & body politike, that haue or shall haue any such vse, confidence, or trust, in fee simple, fee taile, for terme of life, of yeres, or otherwise, or any vse, confidence, or trust in remainder, or reuerter, shal stand and be adiudged in lawful seisin, estate and possession, of, and in the same lands &c. & hereditamentes with their appurtenances, to al intents, of and in such like estates, as they had or shal haue in vse, trust, or confidence, of, or in the same. And the estate, title, right, and possession that was in them that were, or shalbe seised of any lands, tenements, or hereditaments, to the vse, confidence, or trust of any other, shalbe adiudged to be in him, or them, that haue, or shal haue such vse &c. after such manner and condition, as they had before in or to the vse &c. that was in them. 27. H. 8. 10.

Assurāce made to diuers to the vse of one of thē.

2 ¶ Where diuers persons be, or shalbe ioyntly seised of & in any lands, tenements, rēts, reuersions, remainders, or other hereditaments, to the vse, confidence, or trust of any of them, that be so ioyntly seised, then he or they, which haue, or shal haue any such vse &c. shal haue onely to him or them such estate, possession and seison of and in the same lands or other hereditaments in like maner condition and course, as he or they had before in the vse of the same lands &c. 27. H. 8. 10.

Sauing of other mens right.

3 ¶ Sauing to al and singuler persons, & bodies politike, their heirs and successors, (other then those which be or shalbe seised of any lands &c. to any vse,) al such right, title, entrē, interest, possession, rents, and accion, as they, or any of them had, or might haue had before the making of this act, and also sauinge to all persons and to their heires, which be, or shalbe seised to any vse, al such former rightes, titles, interest, possession, rents, customes, seruices, and accions, as any of them might haue had to his owne vse, in, or to any landes, tenementes, rentes, or hereditamentes whereof they be or shalbe seised to any other vse, as if this act had neuer ben made. 27. H. 8. 10.

Land assured before the statut, to the vse that rent should be payed out of the same.

4 ¶ Where diuers persons be seised of, and in any landes, tenementes, or hereditaments in fee simple, or otherwise, to the vse or intent, that some other shal haue yearely to him and to hys heires one annual rent out of the same landes &c. and some other one other annuall rent to him and his assignes for terme of lyfe, yeres, or for some other special time, according to such vse as hath bene heretofore declared, in euery such case the same persons, their

heires

heires and aſſignes that haue ſuch vſe, and intereſt, to haue ſuch rent out of ſuch lands &c. ſhalbe adiudged to be in poſſeſſion of the ſame rent, of and in ſuch like eſtate as they had in the title, intereſt, or vſe of the ſaid rent, or profit, and as if a ſufficient grant, or lawful conueiance, had bene made and executed to them by ſuch as were or ſhalbe ſeiſed to the vſe of any ſuch rent, and al ſuch perſons as haue or ſhal haue any title, vſe, & intereſt in or to any ſuch rent or profit, ſhal lawfully diſtraine for non paiment of the ſame rēt, and in their owne names make auowries, or by their bailifes or ſeruants make cognſances, and iuſtifications, & haue al other ſuits entries, & remedies for the rentes, as if the ſame rents, had bene actually & really graunted to thē with ſufficient clauſes of diſtreſſe, reēntrie, or otherwiſe, according to ſuch conditions, paines, & other things appointed vpon the truſt for payment, or ſuerty of ſuch rent. 27. H. 8. 10.

¶Vſury.

Sellinge of wares & buying them agains.

NO perſon ſhal by him ſelfe, factor, atturney, ſeruant, or deputy ſel his merchandiſes or wares to any perſon or perſons, and within .ij. monethes next after by hym ſelfe, or by any other to hys vſe buy the ſame merchādiſes or wares or any parcel thereof vpō a leſſer price, knowinge them to be the ſame, that he before did ſo bargaine or ſel, vpon the paines and forfaitures hereafter limitted in this ſtatut. 37. H. 8. 9.

No man ſhal take aboue x. li. for the forbearance of C. li. for one yere.

2 ¶No perſon by way of any corrupt bargaine, lone, erchāge cheuiſāce, ſhift, intereſt of any wares marchādiſes, or other things whatſoeuer, or by any other corrupt or deceiptful waye or meane or by any couin, ingin, or deceiptful way or conueyāce, ſhal haue, receiue, or take in lucre or gaines, for the forbearing or giuing day of paimēt of one whole yere, of, & for his money or other thing, ỹ ſhalbe due for the ſāe wares, merchandiſes, or other things, aboue x. li. in ỹ C. and ſo after the rate & not aboue, of, and for a more or leſſe ſumme, or for a longer or ſhorter time, and no more or greater gaine or ſumme thereupō to be had, vpon the paines hereafter limitted &c. 37. H. 8. 9.

No man ſhal take aboue x. li. for the forbearāce of a C. li. for a yere vpon ſale or morgage of lands.

3 ¶If any perſon do bargaine & ſel, or lay to morgage by any way, any manors, lands, tenements, or hereditaments, to any other vpon condition of payment, or non payment of any ſumme of money to be made at any day certein, or before any ſuch day, by him that ſhal ſo bargaine, ſel, or ley to morgage the ſame landes &c. the ſame perſon to whom any ſuch lāds &c. ſhalbe ſo bargained, ſold, or laied to morgage, ſhal not by reaſon thereof, haue, ne take

in

in lucre, or gaines, of the issues, reuenues, and profits of the same lands &c. aboue x.li. in the hundred for one whole yere, & so after ỹ rate aboue said, for a more or lesser summe. or for a longer or shorter time, and no more, or otherwise, vppon the paines hereafter limitted. 37. H. 8. 9.

The fort. of the offendors in the premisses.

4 ¶ If any person shal do any act or thing, contrary to the tenour, forme and effect of this statut, or any clause, article, or sentence contained in the same, then euery offendor therein, or in any part thereof, shal fort. for euery such offence the treble value of the wares, marchãdises, and other thing or things so bargained, sold, eschanged, or shifted, and the treble value of the issues and profites of the said lands, tenemẽts, and hereditaments, so taken, had, or receiued by reason of any such bargaine sale or morgage, to ỹ D. & I. to be recouered by A. I. &c. wherein no w. E. P. &c. And also shal suffer imprisonment of his body, and make fine & raunsome at the Quenes pleasure. 37. H. 8. 9.

To these bands & assurãces the statut extendeth not.

5 ¶ But this act shal not extend to any lawfull obligation indorced with a condition, nor to any statut or recognisaunce made for the payment of a lesser summe, so that the same be made for a true, iust, and a perfect debt, or for the performance of any other true couenantes made betweene the parties, other then in cases of vsury, interest, corrupt bargaines, shift, or cheuisance. ne yet shal extend to any recouery, fine, feoffement, release, confirmation, or graunt made vpon condition, wt a true intent, other then to such as shalbe made vppon condition extending to vsury, interest, corrupt bargaines, shifts, or cheuisance. 37. H. 8. 9.

Al assurances whereby aboue x.li. in the C.li. shalbe reserued are void.

6 ¶ Al bands contracts, and assurances collaterall, or other, to be made for payment of any principal, or money to be lent, or couenaunt to be performed, vppon, or for any vsury in lendinge, or doing of any thing against the said act of 37. H. 8. vppon or by which lone, or doing, there shalbe reserued or taken, aboue the rate of x.li. for the hundred for one yere, shalbe vtterly void, and the sãe statut of 37. H. 8. shalbe most largly & strongly construed for ỹ repressing of vsury & against al persons that shal offend against the true meaning of ỹ saied statut by any way or deuise directly, or indirectly. 13. El. 8.

Brokers, solicitors & driuers of bargaines.

7 ¶ Al Brokers, Solicitors, & driuers of bargaines, for contracts, or other doings against the said stat. of 37. H. 8. wherempõ shalbe reserued or takẽ more then after the rate of. x.li. for the lone of C.li. for a yere, shalbe to al intents iudged, punished, and vsed as Councellors, atturneis, or Aduocates, in any case of Premunire. Anno. 13. El. 8.

8 ¶ A

8 ¶All vsury, lone and forbearing of money, or giuing daies for forbearing of money, by way of lone, cheuisance, shifts, sale of wares, contract or other dowings whatsoeuer for gaine, mencioned in the said statut of 37. H. 8. wherupon is not reserued, or taken, or couenanted to be reserued, paied, or giuen to the lender, Cõtractor, shifter, forbearer, or deliuerer aboue the sume of x.li. for the loane, or forbearinge of a hundred pounde for one yeare, or after that rate for a more, or lesser summe or tyme, shalbee punished in forme following, vz. Euery such offendor against thys branch of this prescẽt statut shal forfait so much as shalbe reserued by way of vsury aboue the principal, for any mony so to be lent or forborne, al such forfaitures to be recouered and imploied as is limitted for forfaitures by the said former statut of 37. H. 8. and euery person offending in vsury, shifts, or cheuisance against thys act, and not taking but only after the rate of x.li. in the C. or vnder for a yeare, shalbe onely punished by the paines and forfaitures prouided by this act against such as shal not take aboue the rate of x.li. in the hundred for a yeare, and not otherwise. 13. El. 8.

He that taketh x.li. or lesse in the C. shal forfait the interest only.

9 ¶If any person shal offend contrary to ẏ said estatut of 37. H. 8. thẽ he shal, & may also be punished according to the ecclesiastical lawes heretofore made against vsury. 13. El. 8.

Punishment by the ecclesiastical lawe.

10 ¶This statut doth not extend vnto any allowances for the finding of Orphanes, according to ẏ auncient customes of ẏ citie of London, or any other citie where like order is for the Custody of Orphanes and their goods, as is in the said citie. 13. El. 8. to endure for v. yeres, next after ẏ end of ẏ parliamẽt holden. 13. El. and from thence vnto the end of ẏ first Session of the Parliament then next ensuing.

Orphanes.

¶VVager of lawe.

NO baliffe shal put any man to his open lawe nor to his othe, vpon his owne bare report, wout faithful witnesses brought in for the same. Magna Charta. 9. H. 3. 28.

He that wageth his lawe must bringe others to swere with him.

2 ¶If any person be grieued or attached by his body in London by any of the same citie, surmising the defendant to be his dettor, and that he wil proue by his papers, hauing nether deede nor Tayle, in this case the defendant shalbe receiued to his lawe by people of his owne condition against such papers, and the creditor shal take suerty by some other way if he wil, without putting the party to plede to an Enquest, if he will not of his owne good wil. 38. Ed. 3. 5. But by ẏ custome of London, if the dettor set his hand to the creditors booke he cannot wage his lawe, And the customes of ẏ same Citie be confirmed by 14. Ed. 3. 1. & diuers others sta.

A man may wage his lawe against Londoners papers.

3 ¶If

Wager of laws in det vpon the arrerages of Accompt.

3 ¶In an accion of det brought vpon the arrerages of accompt the Justices of the Quēenes court & other Judges before whom such suits & accions shalbe in Cities & Borroughes sued and taken, haue power to examine the Atturnes & other whom it pleaseth, and thereupon to receiue the defendants to their lawe, or to trie ỹ matter by enquest according to the discretion of the same Justices and Judges. 5. H. 4. 8.

¶VVales.

Wales annered to England.

THe Quēenes country, or dominion of wales shal stand, & continue for euer incorporated, vnited, & annered, to, & with thys her realme of England, & al and singuler person & persons borne, & to be borne in the said principalitie, countrie or dominion of wales shal haue, enioy, and enherite al and singuler frēedomes, liberties, rights priuiledges, & lawes, wīn this realme, & other the Quēns dominions, as otherỹ Quēenes subiects naturally borne withinỹ sāe haue, enioy, and enherite, and the lawes ordinācs and statuts of this realme of Englād for euer, and none other shalbe had vsed practized, & executed in the said country or dominion of Wales & euery part thereof, in like maner, forme, & order, as they bene shalbe in this realme, and in such like maner & forme as hereafter shalbe further established and ordeined. 27. H. 8. 26.

Englishe lawes vsed in wales.

2 ¶The Quēenes Dominion, Principalitie, and countrie of Wales is deuided into xii. shires, of the which viii. haue ben shires of longe & auncient time, vz. Glamorgan, Carmarthen, Pēbroke, Cardigan, Flint, Carnaruan, Anglesey, and Meryoneth. And 4. were newly ordeined by ỹ sta. of 27. H. 8. 26. vz. Radnor, Brecknok, Mountgomery, and Denbigh, ouer & beside the shire of Monmouth, and diuers other dominiōs, Lordships, and manors in the Marches of Wales, vnited and annexed to the shires of Salope, Hereford and Glocester, and ouer and besids the towne of Hauerford west which is a countie in it selfe. And the limitations of hūdredes made within the said Shires by vertue of the Commissions of King Henry the eight, directed out of his court of Chauncery, and againe returned into the sāe, shal stand in ful strengthe & force, according to the said limitation, except such of the same as sith that time haue bene altered by vertue of any act of Parliamēt 27. H. 8. 26. 34. H. 8.

Wales deuided into shires.

Presidēt and counsel.

3 ¶There shalbe, and remaine a Presidēt & counsaile in the said dominion & principality of Wales & ỹ marches of the same, wīth al officers clarks & incidēts to the same, in maner & forme as hath ben heretofore vsed, which presidēt and counsel shal haue auctho-

ritie

rtie to heare & determine by their discretiõs, such causes and mat-
ers as be or hereafter shalbe assigned to thẽ by the K. &c. as here-
tofore hath ben vsed. 34. H. 8.

4 ¶There shalbe kept Sessions twice in euery yere in eue- Sessions twice in the yere.
ry of the said xii. Shires, in the said dominion and principalitie of Wales, the which Sessions shalbe called the Quéenes great Sel-
sions in Wales, the Justice of Chester for ỳ time beinge shal hold and kepe Sessions twice in euery yeare, in the shires of Denbigh Denbighe.
Flint, and Mountgomery, and haue nothing but his old fée of C. Flint.
li. yearely for the same. The Justice of Norths Wales shal in like Mountgomery
wise hold and kepe Sessions twice euery yeare, in euery of the
shires of Carnaruan, Meryoneth, and Angleley, and shal haue of Carnaruan.
the Quéene a yearely fée of L. li. for the same, one person learned Merioneth
in the lawes of this Realme of England by the Quéene to be ap- Angleley.
pointed shalbée Justice of the shires of Radnor, Brecknocke, Radnor
and Glamorgon, and shall in likewise holde and kéepe Sessions Brecknocke.
twice in euerie yeare, in euery of the same Shires, and shal haue Glamorgon.
yearely of the Quéene L. li. for his fée. One other person learned
in the lawes of this Realme to be appointed, as is aforesayed,
shalbe Justice of the Shires of Carmarthen, Pembroke, and Carmarthen
Cardigan, and of the Towne and County of Hauerford west, Pembroke
and shal in like wise hold and kéepe Sessiõs, twice in euery yeare, Cardigan
in euery of the same Shires, and shall also haue yearely of the Hauerford.
Quéene L. pound for his fée, The sayd persons or Justices, and The Justices
euery of them shal haue seuerall letters patentes and Commissi- cõmissiõrs vnder
ons for their offices, vnder the Quéenes great seale of England, the great seale.
to be exercised by them selues, or their sufficient deputies, according
to the purpose and intentes in their Ordinaunces specified. Anno
34. H. 8.

5 ¶The Quéene, her heires and successors may and shall at The Queens
her or their pleasure constitute or appoint two or more learned may appoint iij
as aforesaied in the lawes of this Realme, to be Justices of and Justices for eue-
for the said Counties of Chester, Flint, Denbigh, and Mountgo- ry circuit, or
mery, & two or more learned &c. to be Justices of Norths Wales, grãt allocation
&c. of and for the said shires of Angleley, Carnaruan, and Meri-
oneth. And likewise two or more learned &c. to be Justices of & for
the said Circuit and shires of Radnor, Glamorgon, and Brecke-
nocke, and also ii. more learned &c. to be Justices of and for the said
Circuit and shires of Cardigan, Carmarthen, & Pẽbroke, and the
towne and county of Hauerford west, any law, statut &c. notwith
stãding. And her maiesty, her heirs & successors, may & shal, at her
& their pleasure frõ time to time associat and graunt Cõmission &

Com-

Commissions of association or associatiõs vnder the great seale of England, to any person or persons learned, as aforesaid, to be associat to or with euery or any such seueral Justice or Justices for ỳ time being, of the said seueral circuits and counties aforesaid, or in any of the said Counties. 18. El. 7.

Of what things Justices may hold plee.

6 ¶ Euery of the said Justices within the limits of their Commissions and aucthorities to them appointed, as is aforesaid, shall hold al manner of plees of the Crowne, at and in the said Sessions in as large and ample maner, as the Quenes chiefe Justice of England, & other ỳ Quenes Justices of ỳ Kings Bench there, or any of them may doe in their places or els where within the Realme of Englande. And also shal hold plees of assises and al other plees, and accions, real, personal, and myxt in as large and ample maner, as the Quenes chiefe Justice of the cõmen plees in England, & other Justices of the same plees, or any of them may doe in the realme of Englãd. And euery of ỳ said Justices of Wales, shal haue aucthoritie to enquire of al Treasons, Murders, Felonyes, Riots, Routs, vnlawful assẽblies, Extortions, imbraceries, maintenances, retainors, concealments, contemps, and al other offences, and euil deedes, of what natures, names, or qualities so euer they be done, cõmitted, or perpetrated wỉn the limits of their commissions and aucthorities, against the forme of the common lawe of the Realme of England, or of any statutes of the same, and to heare and determine the premisses & euery of them, and generally to minister cõmon Justice, to al and singuler the Quẽns subiects within the limits of their Cõmissions, and aucthorities according to the lawes, statuts, and customes of the Realme of England, & according to this present ordinance. 34. H. 8. And al and euery such two Justices or more, to be appointed by ỳ Quẽne her heirs and successors (according to the statut made. 18. El.) within euery of the said seueral circuits & Counties. And also euery such Justice or Justices, together with such person or persons associat (if any such association or associations shal happen to be as aforesaid) during such association, and after such association ended, or wỉout such association, such Justice or Justices shal haue the like power and Jurisdictiõ to al intents and effects, as any one Justice within any of the said circutes or shires aforesaid, now hath, or at any time heretofore had or ought to haue. And also shal haue like power and turisdiction to kẽpe and hold the seueral sessions aforesaid twice in euery yeare, in euery of the saied shires, within their seuerall circuits aforesaid, & to heare, determine, order, award, adiudge, receiue, take knowledge of, and execute al and singuler causes, matters,

ars, plées of assises, Treasons, Murders, felonies, indictmẽts, ap-
peales of murder, felonie, and maymes, accions, reals, personals,
and mixt, suites, plaints, informations, quarels, attaintes, conspi-
racies, Quare impedit, and al actions grounded vpon any statute
or statutes, writtes, proces, returnes, essoynes, verdicts, iudge-
mentes, fines, acknowledges, confessions, warrantes, and exe-
cutions, actions, and actes, whatsoeuer, and to do, performe, ob-
serue, accomplish and make all and euery other act & actes, mat-
ter and matters, thing and things whatsoeuer, in like, & in as am-
ple, beneficial, lawful, & effectual maner & forme, to all constructi-
ons, qualities, intents, & purposes, as any of ẏ now seuerall Justy-
ces, or any one of the now Justice or Justices wiñ ẏ same seuerall
circuit or circuits & counties aforesaid, may, ought, hath, or myght
lawfully do, by force of any lawe, vsage, or statute heretofore had,
made or vsed, before ẏ making of this act, And al & singuler writs
proces, returnes, essoines, verdicts, iudgements, fines, recoueries,
recognisances, acknowledges, cõfessions, act & acts, thing & things
matter & matters as aforesaid, had made, takẽ, dõe, returned, heard
determined, awarded, adiudged or executed, by or before any such
ẏ Justices or more, or any such Justice or Justices, & associat or as-
sociats as aforesaid, to be appointed, nominated, authorized, or cõ-
stituted, as aforesaid, shalbe allowed, taken, construed, expounded,
& adiudged as good, effectual, & anayable to all intents, constructi-
ons, & purposes, as if the same had ben had, made, taken, done, re-
turned, heard, determined, awarded, adiudged, or executed, by, or
before any such one Justice, or one of ẏ Justices now, or late being
Justice, or Justices of the same circuit or seuerall circuits aforesaid,
any lawe, vsage, statute &c. notwithstanding. 18. El. 7.

7 ¶ Euery of the said Sessions shalbe kept and continued by the space of vj. daies in euery of the said shires, at either of the said times, as is & hath ben vsed within the said three shires of Northwales. And the said Justices shal cause open proclamations to bee made in the shire townes, what time & place they purpose to keepe their sayde Sessions vb. dayes at the least before they keepe the same, to the intent the Quenes subiects maye haue knowledge thereof. 34. H. 8.

Sessions kept vi. daies.

Proclamation vb. daies before the Sessions.

8 ¶ Dayes shalbe giuen in al plées, plaints, proces & adiurne-
ments, frõ day to day, & Sessions to Sessions, by the discretion of
the said Justices wiñ ẏ limits of their authorities, for the good and
speedy ministration of Justice, to al & singuler ẏ Quenes subiects,
as is or hath ben vsed in Northwales, And the issues taken before
ẏ said Justices in plées personal, which cannot be tried before thẽ

Dayes in court.

Issues taken in perie Sessions.

in time of their great Sessions, for breuitie of time shal & may bee tried at a petie Sessions, before the deputy Justices there, as is & hath ben vsed in the three shires of Northwales, (except such of ỳ said suits as by ỳ discretion of the said Justices shalbe thought necessary, to be tried before them selues, wtin their limits.) 34. H.8.

Issues. amerciaments.

9 ¶ The Quæne shal haue al fines, issues, amerciaments, & al forfaitures of recognisances lost, or forfaited, before any of the said Justices in the sessions aforesaid, And ỳ Prenotaries wtin the limits of their offices, shal yerely extrete the same into the Eschequer appointed for that limit, to the intent that proces from thẽce may be awarded to the sherifes to leuy the same to the Quænes vse, as appertaineth, which Sherifes shall yearely make their accomptes before the Quænes Auditors thereunto assigned, tricesimo quarto H.8.

Original seales

10 ¶ One originall Seale deuised by the Quæne for Justice to be ministred in the said iij. shires of Northwales, vz, ỳ shires of Merioneth, Carnaruan, & Angleley, shalbe & remaine in ỳ charge and custody or the Chamberlaine of Northwales. And one other originall seale &c. for the said shires of Carmarthen, Pembroke, & Cardigan, shalbe & remaine in the charge & kæping of the Chamberlaine of Southwales. And likewise one other originall seale &c. for the said iij. shires of Brecknocke, Radnor, & Glamorgan, shalbe & remaine in the charge & custody of ỳ Steward and Chamberlaine of Brecknocke. And also one other originall seale &c. for ỳ said shires of Denbigh & Youngomery, shalbe & remaine in the charge & custody of the Steward & Chamberlaine of Denbigh. And ỳ originall seale of Chester, shalbe & stãd for the originall seale of Flint, for Justice to be ministred in the said shire of Flint, and shalbe & remaine in the charge, kæping, and custody of the Chamberlayne of Chester. 34. H.8.

What shalbe sealed with the originall seales.

11 ¶ The said Stewards & Chamberlaines, shal seale wt the said seales, that is to say, euery one of them shal seale with the seale to his charge committed, al maner of originall writs & proces returnable before the saide Justices, at the Sessions to be holden in euery of the said shires, in maner & forme as is aforesaid. And shal seuerally accompt & aũswere ỳ K. for the profits of ỳ same seale. And none of the said Stewards, Chamberlaines or Chauncelors hauing the charge & keping of the said seales, shal by occasion therof, or by colour of any of their offices, compell, or cause any person inhabited wtin any of ỳ said xij. shires, to appeare before thẽ selues, or their deputies, Ne shal haue power to heare or determine anie plees of ỳ Crowne, nor other causes or matters of Justice, otherwise

wise then in this ordinance is limitted: But shall haue ẏ charge & kæping of the said seales to seale al original writs & proces, as shal be returnable before ẏ said Justices in their sayd sessiõs, as is afore specified, & as hereafter shalbe declared, which writs & proces shal be vsed, made, sealed, & returned in maner & fourme, as hath bẽn vsed before the Justices in Northwales. 34. H. 8.

Proces against accomptants.

12 ¶ All such persons as be or shalbe ẏ Quẽnes Stewards, Chamberlaines, or Chauncellors, within any of the vij. shires, which by reason of their said offices, haue charge for ẏ receipt, collection, or accompt, of, and for ẏ Quẽnes rents, reuenues, farmes or profits, to be due to her Maiestie within the sayde dominion of Wales, may direct proces vnder ẏ said seale being in their charge and custody, within the limits of their auctorities, onely against Baylifes, Rẽues, Farmors, and other ministers accomptant, to appeare before them selues, to aunswere to & for any the Quẽnes reuenues, fermes, rents, or profits, & for none other causes, nor against any other person or persons in like maner, as they haue ben accustomed in that case to do. 34. H. 8.

iiij. Judicial seales.

13 ¶ Besides the said original seales, there shalbe iiij. Judicial seales, deuised by ẏ K. wherof one shal remaine with ẏ Justice of Chester, which is appointed to be Justice of Flint, Denbigh, & Mountgomery, to be vsed within the said shires, to seale al Judicial proces, and billes that shalbe sued before the saide Justice in the sessions to be holden wẽin the same shires. And one other of the said Judicial seales shal likewise remaine and be in the charge & custodie of ẏ said Justice of Northwales. And the third of ẏ said seales shalbe & remaine in the custody and charge of the Justice of the iij. shires of Glamorgan, Brecknock, & Radnor. And the iiij. of ẏ said seales, shal remaine in ẏ charge & custody of the Justice of the said iij. shires of Pembroke, Carmarthen, & Cardigan. And ẏ said Justices shal seale wẽ the said Judicial seales vz. euery of them with ẏ seale committed to his charge & custody, aswel al bils, as all other Judicial proces, ẏ shalbe sued before them in the said Sessions, vpõ any original bils or writs. And al other proces that shalbe awarded from any of the sayd Justices, shalbe sealed with the said Judicial seale. 34. H. 8.

What shalbe sealed with the Judicial seales.

Justices accõpt for the profits of the seales.

14 ¶ Euery of the said Justices shal accompt & aunswere to the K. for the profits of the said seale being in his charge & custody in maner & forme as hereafter shalbe declared. 34. H. 8.

Teste of Judicial proces.

15 ¶ The teste of euery bil & Judicial proces, ẏ shal passe vnder ẏ said Judicial seale, shalbe vnder ẏ name of such of ẏ said Justices, from whõ such bil or Judicial proces shal passe, in like maner

and forme, as is vsed in ỹ cõmon plees in England. 34. H. 8.

Writs sealed with the original seale.

16 ¶ All actions real and mixt, attaints, conspiracies, assises, and Quare impedit, appeales of murder, and felony, and al actions grounded vpon any statutes, shalbe sued by original writtes, to be obtayned and sealed with the sayde originall seale, returnable before the saide Justices, at their Sessions, within the limittes of their authorityes, in manner and fourme, as is before mencioned. 34. Henrici. 8.

Personal actions of xl. s. or aboue.

17 ¶ All maner of personal actions, as debt, detinue, trespas, accompt, & such like, amounting to the summe of xl. s. or aboue, shal be sued by writtes original, to be obtayned and sealed, as is aforesaid, or by bils at the pleasure of the party suing the same before the said Justices within the limits of their authorities, as is vsed in Northwales. 34. H. 8.

Personal actiõs vnder. xl. s.

18 ¶ All personal actions, vnder ỹ sũme of xl. s. vz. debt, trespas, detinue, accõpt & such like, shall & may be sued before any of ỹ said Justices in ỹ said Sessions by bill, as is vsed in Northwales, (But there shal no suit be takẽ before any the said Justices, by bill vnder. xx. s.) And euery original bil concerning actions personals, shalbe sealed with the Quéenes Judicial seale, being in the custody of the said Justice, before whom such personal actions, by bill shalbe brought & commenced. 34. H. 8.

No suit before Justices vnder xx. s.

Fees for writing & sealing of original writs & bils.

19 ¶ Such fées shalbe paied for the writing & sealing of such original writs & bils, as hereafter shalbe expressed, vz. for the sealing of euery original writ to be sued in & vpõ the causes aforesaide, & for euery bil to be pursued in actions personals, whereof the debt & damages amounteth to the summe of xl. s. or aboue, the parties pursuing the same, shal pay for the seale of euery such writ or bill vj. d. & for euery iudicial proces to be sued vpõ any such writ or bil, the parties pursuing such iudiciall proces, shall pay for the sealynge thereof viij. d. whereof the Quéene shal haue vj. d. And the Justice sealing such iudicial proces shal haue i. d. & euery bil in personal action whereof ỹ debt, duitie, or damage amounteth not to xl. s. and al manner iudicial proces to be sued vppon the same, shall also bee sealed with the Quéenes sayde iudiciall seale, and the parties pursuing the same, shall pay for the seale of euerie such bill, and iudiciall proces thereuppon to be sued, three pence, whereof the Quéene shall haue two pence and the Justice sealing such proces, shall haue i. d. An. 34. H. 8.

Proces sealed with the iudicial seale, & the fees.

20 ¶ All writs of Scire facias, and writs of good abearing, or for the peace, or writs of Supersedias vpon the same, and al other proces to be sued frõ ỹ said Justices, vpon any record or suggestion admitted

admitted by any of the said Justices within the limits of their auc-thorities, shal also be sealed with the saide Judiciall seale, and the parties pursuing for the same, shall pay for the seale of euerie such writ and proces seuen pence, whereof the Quéene shall haue fiue pence, and ỳ Justice by whom such proces shalbe sealed one peny. And euery exemplification vpon any record before any of the said Justices, shalbe sealed with the Quéenes Judicial seale, and the parties pursuing the same, shall paye for the seale thereof twenty pence, wherof the Quéene shal haue xvi.d. and the Justices sealing the same iiii.d. 34. H.8. Exemplifications

21 ¶Recoueries, and fines, concordes, and warrants of attur-ney for the same, shall and may be taken before euery of the saide Justices of lands, tenements, and hereditaments within his auc-thoritie, by force of his general Commission, without any writ of Dedimus potestatem to be sued for ỳ same, in like maner & forme, as is vsed to be taken before the Quéenes chiefe Justice of her cō-mon place in England. And all fines leuied before any of the sayd Justices, with Proclamation made the same Sessions that ỳ said fine shalbe ingrossed, and in two other great Sessions thē next to be holden within the same Countrey, shalbe of the same force and strength to all purposes, as fines leuied with Proclamation be of, that be leuied before the Justices of the Common place in Eng-land. 34. Henrici. 8. Recoueries, Fines.

22 ¶Euery person suing writs of Entrie in ỳ Post, or writs of Couenant, or any other writs for any recouery to be had by as-sent of parties or otherwise, or for any fine to be leuied, shall paye such fines to the Quéenes vse for ỳ same, as wel fines Pro licentia concordandi, as all other maner of fines, as is vsed in ỳ Quéenes Chauncerie, or els where in any of the Quéenes Courts of Eng-land, which fines shalbe paied to such persons as shal seale the ori-ginal writs for that purpose, and they shal accompt for the same, in like forme, as they shal do for the profits of the said originall seale, as is aforesaid. 34. H.8. Fines for writs of entrie, and couenant.

23 ¶The Quéenes siluer vpon euery fine to be leuied shal be paied as is vsed in the common place of Englande, vz. ij.s. which Quéenes siluer shalbe paied to the Justice before whom such fine shalbe leuied, whereof the Quéene shal haue xx.d. and the Pro-notarie entering the same, shal haue ii.d. and the Justice before whō such fine shalbe leuied, other ij.d. And the same Justice shal accōpt for the Quéenes part thereof, like as he shal for the profites of the Quéenes iudicial seale committed to his charge in maner & forme, as is aforesaid. 34. H.8. Quéenes fines

Errour.

24 ¶All Errours & Judgemẽts before any of ẏ said Justices at any time of the great Sessions, in plees reals, or mixt, shalbe redressed by writ of Errour to be sued out of the Quẽnes Chauncerie of England, returnable before ẏ Quẽnes Justices of her bench in England, as other writs of Errour be in England. And all errours in plees personals shalbe reformed by bills, to be sued before the said Presidẽt & Councel of Wales from time to time, as the p. greued will sue for the same, & if in case ẏ iudgemẽt be affirmed good in any of the sayd writs of Errour, or bils, then there to make execution, and al other proces thereupon, as is vsed in the kinges benche in England, and the pursuants in euerie such writ of Errour or bill, shall pay like fees therefore, as is vsed in Englande. 34. Henrici 8.

False iudgemẽt

25 ¶No execution of any iudgement to be geuen in any base Court shalbe staied or deferred, by reasõ of any writ of false iudgement, but execution shall and may bee had and made at all times before the reuersal of the saide iudgement, the pursuit of the sayde writ notwithstanding, & in case the sayd iudgement happen after to be reuersed, then the party pursuant shalbe restored to all that he hath lost, by the sayd iudgement, according to the lawes of the realme. 34. Henrici 8.

Weighty causes.

26 ¶All proces for vrgent & weightie causes, shalbe made and directed into Wales by the special commaundement of the Chaũcellour of England for the time being, or any of the Quẽnes coũsaile in England as hath ben vsed, any thing in this act &c. notwithstanding. 34. H. 8.

Prenotaries

27 ¶There shalbe iiij. Prenotaries for the making of al Judicial proces, & for the entering of al plees, proces, & matters of record in the sessions, to be holden before the said Justices, whereof one of the said Prenotaries shal attend vpon the saide Justice appointed for the iij. shires of Northwales. And one other shal attẽd vpon the Justice assigned for the iij. shires of Flint, Denbigh and Mountgomery, & the third shal attend vpõ the Justice assigned for the iij. shires of Carmarthen, Cardigan, & Pembroke, and the iiij. of the said Prenotaries shal attend vpon the Justice assigned for ẏ iij. shires of Glamorgan, Brecknock, and Radnor, and these fower Prenotaries, as often as their said offices shalbe voyd, shalbe named and appointed by the Quẽne, by her letters patentes, vnder her great seale of England. 34. H. 8.

Prenotaries fees.

28 ¶Euery of ẏ said Prenotaries within the limits of their offices, shal take such fees as hereafter be expressed, vz. for the writing of plees, and ingrossing of writs of entrie in the Post, writs of right,

of right, Quod ei deforceat, or any other writs pursued by the assent of the parties v.s. and if it be with a double voucher, then vi.s. viii.d. And for the exemplification thereof ij.s. & for the ingrossing of fines, to have for euery fine iij.s. iiij.d. & if it be with proclamations, then iiij.s. Item for euery bil of debt, detinue, trespas, and al other actions personals sued before ỹ said Justices in their circuits under the sũme of xl.s. the Prenotaries shal haue for the first bill iij.d. for the second bil viii.d. & for the third bil iij.d. & for the entrie of euery declaration, plee in barre, replication, & reioinder in & vpon euery such actiõs, so that he do inroule the same in parchmẽt iiii.d. And for euery venire facias, Tales, Habeas corpora, & distring. in ỹ same actions iiii.d. and for the iudgement iiii.d. & for euery writt of execution, in euery such action vi.d. & for euery warrãt of atturney in euery such action, aswel for the plaintifes, as for the defendants iiii.d. Item in al actions of detinue, trespas, & al other actiõs personal, wherein the duety, debt, or damage amounteth to ỹ sũme of xl.s. or aboue, which shalbe sued by bils before the said Justices, the Prenotarie shal haue for the first bil iiii.d. for the second bil iiii.d. & for the third bil iiii.d. & for euery declaration, aunswere, replication, & reioynder if it be inrouled in parchment viii.d. & for the venire facias, Tales, Habeas corpora, & distring. for euery of them vi.d. & for the iudgement viii.d. & for the warrãt of atturney iiii.d. & for euery writ of execution vpon the iudgement in such bils vi.d. Item in original writs sued vpon euery action personall returnable before the said Justices, the Prenotaries shall haue for eueris Iterum summon. vi.d. for euery distresse in trespas vi.d. and for the declaration viii.d. for the aunswere, replication, and reioinder for euery of them, if they be inrouled and ingrossed, as is aboue sayd. twelue pẽce, for ỹ Venire facias, Tales, Habeas corpora, & distring. for euery of them fiue pence, and the Prenotaries shal haue for the entrie of the iudgements in euerie such action twelue pence, and for euery writ of execution sued vpon the same vi.d. and for the exemplification of euery record in any of the said actiõs. ii.s. for euerie warrant of atturney fower pence, in al actions reals and mixt, Assises, Quare impedit, appeales of felony, murder, or mathem, the Prenotarie to haue for the declaration or plaint ii.s. & for the plee in barre, replication, reioinder, surreioinder for euery of them, if they be inrouled as is afore said xii.d. and for the writing of euery Venire facias, Tales, Habeas corpora, & distring. vpon the same for euery of thẽ vi.d. & for the entrie of ỹ iudgement in euery of ỹ said actions & appeales ii.s. and for the writing of the writs of execution made vpon euery of the said actions, appeales, & assises. xii. d.

and for writs of Craund cape & petit cape & writs of view, writs vpon voucher, & al other writs in euery such action or actiõs xij.d. and for euery warrant of Atturney for the defendantes, or for the demaundants, or plaintifes in euery such actiõ real, assise, appeale & Quare impedit iiij.d. & for the essoines in euery such action iiij.d. & for the adiornement ii.d. & for the baile of euery person of felony xii.d. & for the baile for trespas vi.d. & for the apparãce and bailing of cõmon maynprise ii.d. Item for writing of writs for the peace & good abearing, graũted by any of the said Justices in their Sessions vi.d. & for the entering of euery recognisance, to be had & taken before the said Justices, for euery cause or causes, other thẽ before is expressed xii.d. and if it be with condition then ii.s. and vpõ euerie acquitall and deliuerance of felons, or murders by verdict, or by allowance of pardon, the Prenotaries shal haue ii.s. & if it be vpon indictments certified from the Justices of the peace before the Justices of the great Sessiõs, the Clerke of the peace shal haue also twelue pence, and vpon the deliuerie of any suspect of felonie or murder, by Proclamation, the saide Prenotarie shal haue twelue pence. 34. Henrici 8.

Marshal, Crier

29 ¶There shalbe a Marshal and a Crier in euery of the circuites & limits allotted to the said Justices, which shalbe named by the said Justices within the limits of their authoritie and commission, in like maner & forme, as Justices of assise do in Englãd, and the said officers shal attend vpon the said Justices in their circuits in their owne proper persõs, & not by their deputies, & ỹ Marshal shal haue vpon euery iudgement, & euery fine iiii.d. & the Crier i.d. & vpon the acquitals of felons, & of them ỹ shalbe deliuered by Proclamation, or deliuered out of common mainprise, before any of the said Justices, the Marshall shal haue iiii.d. and ỹ Cryer a peny. 34. Henrici 8.

Justices of peace.

30 ¶Ouer and besides the said President, & the Councell and Justices, there shalbe Justices of peace, and Quorum, and also one Custos Rotulorum in euery the said xii. shires. And the said Justices of peace, Justices of Quorum, & Custos Rotulorũ, in the said shires, shalbe named and appointed by the Chauncelor of England, by cõmission vnder the Quẽnes great seale of England, by the aduise of the President, Councel, & Justices aforesaid, or iii. of them, of the which the said President to be one, from time to time as the cale shal require. And there shal not exceed the nũber of viii. Justices of the peace in any of the said shires, ouer and besides the President, Counsaile, & Justices aforesaid, & the Quẽnes Atturney, & Solicitor: which President, Coũsail, Justices & ỹ Quẽnes Atturney,

Atturney, & Solicitor shalbe put in euery commission of peace, in euery of the said xii. sheres. 34. H. 8.

31 ¶ Such persons as shalbe named to be Justices of peace w̄in euery of the said sheres, shalbe of good name, & fame, & after they be assigned by commission, may vse and exercise ẏ office of ẏ Justice of peace, albeit they may not dispende xx. li. nor be learned in ẏ lawes of the land, w̄out any losse, damage or penalties for insufficiency of their lāds, & euery of ẏ said Justices of peace, before they shall execute their commissiō, shal take their othes before ẏ Chaūcelor of England, or els before the said Presidēt, or one of ẏ saied Justices in Wales, by vertue of ẏ Quēens writt of Dedimus potestat', or before any other person to be limitted by ẏ Lord Chaūcelor of Englād for that purpose, ẏ contēts of which oth shalbe after ẏ forme, as Justices of peace in England vse to make. 34. H. 8 S. Iusticesof peace. 4.

What persons may be Justices of peace.

Their othes.

32 ¶ The saied Justices of peace, or two of them at the least, whereof one to be of the Quorum, shal & may kēepe their sessions w̄in the limits of their commissions, iiii. times in the yere, & at other times vpō vrgēt causes, as Justices of peace in Englād vse to doe, & shal haue like power & auctoritie in al thinges, & fees of the Quēne for ẏ time of their sitting, al wel for thē selues, as for their Clarks, & shalbe bound to vse & doe their offices in like maner, as is vsed in England. 34. H. 8. S. Iustices of peace. 5. 6.

Quarter Sessions.

33 ¶ No Justices of peace, Clerke of ẏ peace, nor other Clerke of any Justices of peace in Wales, shal take for ẏ writing of any warrāt of the peace, or good abearing aboue vi. d. & for ẏ entring of pledges or borowes to pay ẏ Quēens fine vpō any indictmēt xx. d. and if it be with protestation, then to take twelue pence, and for a Supersedias not aboue viij. pence, and for a Recognisance xii. d. An. 34. H. 8.

Fees of the Iustices, & Clerks of the peace.

34 ¶ All the said Justices of peace shal certifie al recognisāces taken before any of them for the peace, or good abearing into their sessions next to be holden after the taking thereof, and recognisāce taken before any of them, for suspitious of any manner of felony, shalbe certified before the Justices in the great Sessions, next to be holden after the taking thereof, without concealement, detayning or imbesselling of the same, vpon such penalties and daungers, as be therefore ordained and established. 34. H. 8. S. Iustices of peace. 102. 103.

Certificat of recognisance.

35 ¶ All fines and amerciaments before the sayed Justices of peace to be lost, shalbe tared, & affered by ii. Justices of peace at ẏ least, whereof one to bee of the Quorum, and all such fines and amerci-

Affeerement of fines, & amerciaments.

amercements shalbe set truely and duely, according to the quantitie of the offences, without partiality, or affection, and ỳ said fines and amerciamẽts, and also al issues lost before the said Justices of peace, and al forfaitures of recognisãces, & other forfaitures before the same Justices, shalbe yerely extreated by ỳ Clerks of ỳ peace into the Eschequer, appointed for that limit, to the intẽt that proces may from thence be awarded for the leuying of the same forfaitures and summes of money to the Quéenes vse, to the sherife of euery Countie, as shal appertaine, who shal make thereof their accompts before such auditors as thereunto shalbe assigned, so that the Quéene may thereof be duely & truely answered & satisfied, which auditors shal make due allowance to the same sherifes for the fées of ỳ Justices & Clerks of the peace vpon their said accõpts as is vsed in England. 34. H. 8. S. Iustices of peace. 7.

Fines, forfaitures & amerciamẽts extreated

Justices and Clerks fees.

Sherifes.

36 ¶ There shalbe Sherifs in euery of the said sheres yerely appointed by the Quéene, & none of the said sherifs shall haue their office of sherifewick any longer time then is vsed by the lawes & statuts of England, & for the yerely nomination of ỳ said sherifes the said Lord Président, Counsaile, & Justices of Wales, or three of them at the least, whereof the said Présidẽt to be one, shal yerely nominate iij. substanciall persons in euery of the said iij. sheres to be sherifs of the same, & shal certifie their names to the Lords of the Quéens Councell, attending vpon her graces person, Cra-tino animarum, to the intent the Quéene being thereof aduertised may appoint one of them in euery of the said sheres, to be sherife for the yere after at her pleasure, like as her highnesse doth for her Realme of England, and thereupon ỳ said sherifs shall haue their patents and commissions vnder ỳ great seale of England as sherifes of England haue, & shal make, & take othes & knowledges of recognisances before the Président & Justices, or one of them, by vertue of the M. writt of Dedimus potestat', to be directed for the same, for the due executiõ of their offices & for their iust & true accõpts, before ỳ Quéens Auditor or Auditors assigned for Wales 34. H. 8. S. Sherifs. 4.

Their patents.

Othes.

37 ¶ Euery of the said sherifs shal haue full authoritie within the limits of their sherifewicke, to doe and vse there offices as sherifs in England, & shal accomplish, & execute without any fauour, dread, or corruption, all manner of writs, proces, iudgements, and executions, and all common Justyce appertayninge to their Offices of Sherifs, and all lawfull commaundements, and precepts of the said Président, Counsaile, and Justices of Wales, and also of the Justices of ỳ peace, Eschetors, and Coroners, and

The sherifes authoritie.

euery

euery of them, in all thinges appertaining to their offices and auc-thoritie. And the said Sheriffes shall doe, and be bound to doo all and euery other thing and thinges for the ministration of Iustice, and for the conseruation of the Quenes peace, & ỹ apprehension & repaire of Traytors, murderers, theeues, felõs, & other offẽdors as sheriffes of England doe vse & be bound to do wthin the Realme of England. 34. H. 8.

38 ¶ The said sheriffs shal yerely accõpt before such ỹ Quenes Auditor or Auditors, as shalbe assigned by ỹ Quene for her said dominion of Wales, & euery of ỹ said sheriffs shall haue yerely for his fee v. li. 34. H. 8. Sheriffs accõpt before auditors. The sheriffs fee

39 ¶ Euery of the said Sheriffs shall haue a gaole for prisoners within some conuenient place of the Castel of the Shere Towne where he is Sheriffe, or in such other conuenient place, as by the said President, Councell, and Iustices or iij. of them (whereof ỹ said Presidẽt to be one) shalbe appointed. 34. H. 8. S. 5. El. 24. Prisons. 1. &c. The Iustices of peace of the Counties of Pembroke, Glamorgan, Cardigan, Radnor, and Mountgomery, haue auctoritie to execute al things concerninge the building and newe making of Gaoles, in the said counties, as the Iustices of peace and other persons of any of the Counties contayned in the Statute prouided in that behalfe. 23. H. 8. 2. may and haue auctorite to doe. Gaoles.

40 ¶ The sheriffes counties, or shere courts of the countie of Brecknocke, shalbe holdẽ at Brecknocke, of Radnor at newe Radnor & Prestõ, of Mountgomery, at Mountgomery, & Maghenleth, of Denbigh, at Denbigh & Wirhã, of Mõmouth, at Monmouth & Newport, alternis vicibus, 27. H. 8. 26. County courts

41 ¶ The sheriffes shal keepe their counties monethly, & their hundred courts for plees vnder xl. s. as is vsed in England, & shall take for the entring of plaints, proces, plees, & iudgements in the said Shere Courts, & hũdreds such smale fees, as are vsed to be taken in Sheres & hũdreds in Englande & not aboue. 34. H. 8. County courts kept monethly

42 ¶ All trials before them in their said Courts, or before any stewards in Court Barons, shalbe by wager of law, or verdict of .vj. men, at ỹ pleasure of ỹ partie plaintife or defendant ỹ pleadeth ỹ plea. 34. H. 8. Trials before Sheriffes or Stewards.

43 ¶ Euery of the said sheriffes shal keepe their Turnes yerely after Easter & Michaelmas, as they haue bene vsed in Englãd and the Quene shal haue all forfaitures, fines, issues, and amercements forfaited in any of ỹ said Coũties, hũdreds, courts & turnes to her owne vse, & ỹ sheriffe shal accompt for ỹ same accordingly. Sheriffs turnes.

And

Estrets afferred by the Justices of assise.

And the estrets of the said turnes, counties, and hundreds shalbe viewed, and the fines, issues, & amerciaments, afferred by the Justices of assises of that circuit, before ỳ leuying of ỳ same amerciamẽts, or other forfaitures, & no Sherife or any of his officers shal presume to gather or leuy any such amerciament, or other forf. before ỳ said estrete be so afferred, vpon paine to forf. to the Queenes vse. xl.s. 34. H.8.

Execution vpõ a iudgement in the Sheriffes. court.

44 ¶ The sherife vpon euery iudgemẽt had before him in his Countie, or hundred Court, in any plaint vnder xl.s. shal & may award a Capias ad satisfaciendum, to arrest the partie condempned or els a Fieri facias at ỳ libertie of ỳ pursuant. 34. H.8.

Sheriffes fees

45 ¶ All bills sued before ỳ said Justices in personall accions, whereof ỳ debt, duitie or damage is vnder xl.s. ỳ sherife shall haue for the returne of euery bill ii.d. And for euery Venire facias, Tales, Habeas corpora, & Distringas. ij. d. and for writs of execution vpon ỳ iudgement in any such bill xii.d. and in bils sued before the said Justices in actiõs personales, aboue the summe of xl.s. the sherife shal haue for the returne of euery such bill iiii.d. And for ỳ returne of euery venire facias, Habeas corpora, Distring. and Tales viii.d. and for euery writ of execution ii.s. & in all personall accions sued by originall writs returnable before the said Justices, ỳ Sherife shal haue for euery Iterum summoñ, distring. & alias distring. iiii.d. and for euery Venire facias, Habeas corpora, distring. & Tales vj.d. and for euery writt of execution to be executed vpon ỳ iudgement in such accions ii.s. for the seruing of euery writte of Elegit vi.s. viii.d. and in all reall accions, or mixt, pursued before the saied Justices by original writt, for returne of euery original writt, ii.s. and for returne of euery other writt and Judiciall proces depending vpon the same before iudgement. ij.s. and for euery writt of execution after iudgement vpon euery originall, in accions real or mixt, two shillinges, and for seruing of euery writt of Haberi facias seisinam. vi. shillings viii.d. And for Attachments vpon capias, or other proces sued before the saied Justices by originall or iudiciall writt, if he returne Cepi corpus, two shillinges, and for a Reddidit se vppon an Exigent of Felony, in Appeall of murder, or maime, or vppon any indictment of Felony or murder, two shillinges, and vppon a Reddidit se, vppon an Exigent of debt, trespas, detinue, & all other actions personals, twelue pence, and for the making of repledge twelue pence, and Withernam vpon the same twelue pence, for the returne of euery writt of appeale of murder, felony, or maime xii. pence, And vpõ al other proces growẽ vpon ỳ same, as venire facias, Tales, Habeas corpora, &

distringas

distringas vij.d. And in euery accīō taken before ẏ Sherifs by Iustices for the sūmōs thereof iiij.d. And for euery other proces there-vpō. iiij.d. And for euery prisoner deliuered by acquital, or by Proclamation for any maner of felony vij.d. 34. H. 8.

46 ¶ Euery sherife within the limits of his authoritie, may & shal put such persons vnder commō mainprise, as they haue reasonable cause of suspect, bynding such as they shal so put to cōmon mainprise with ij. sufficient suerties with them by recognisance, to appeare before the Iustices within ẏ limits of their authorities at the next great Sessiōs to be holden next after the taking of such bands, & shal certifie ẏ names of them that be boūd before the said Iustices at the said Sessions accordingly, without concealement thereof at their pleasure. 34. H. 8. And the recognisances of such common mainprise, and suertie of apparance taken before any of the said Sheriffes, shalbe as good & effectuall, as if it were taken by any Iustice of record. And euery person and persons within the Counties of Brecknock, Radnor, Mountgomery, Denbigh, Glamorgon, Carmarden, Pembroke, & Cardigan, or any of them, put vnder common mainprise, & bound to his or their personall apparance, as well by the foresaid sherifs, as by the Iustices of any of ẏ said Counties, shall kéepe their apparance before the said Iustices at euery Sessions, within the said Coūties to be holden in such like manner and forme, as is vsed in the thrée Sheres of Northwales. 27. H. 8. 26.

Suspect persons vnder mainprise.

47 ¶ Euery person that the Sherife taketh to commō maynprise, to appeare before ẏ said Iustices, as is aforesaid, shal pay for his mainprise ij.d. & not aboue. And ẏ said Sherife shal put no mā to common mainprise, but such as be suspect, & as shalbe returned by them, before the said Iustices at their sessions, as is aforesaid. An. 34. H. 8.

The sherifs fee for mainprise.

48 ¶ And ẏ said sherife shal haue for the returne of a writte of false iudgemēt out of a base Court, before ẏ said Iustices ii.s. And ẏ said sherif shal take no maner of fée for ẏ returne of any of ẏ said writs of execution before expressed, vnles he returne ẏ same executed. 34. H. 8.

The fee for returne of a writ of false iudgmēt

49 ¶ S. 1. Ed. 6. 10. Exigent. 7. that euery Sherife of ẏ said vij. Counties in Wales, & of ẏ Coūties palantine of Lancaster, Chester, & of ẏ Citie of Chester, shal haue in euery of the Courts of the kings Bench, & commen pleas, one sufficient deputie at ẏ least, to receiue writs directed to such Sherife &c.

The Sherifs deputies.

50 ¶ The sherife shal make ẏ Bailifs of hundreds, & they shall attend vpon ẏ Iustices in euery of their Courts & Sessiōs. 34. H. 8.

Bailliffes of hundreds.

51 ¶ El-

Eschetors. 51 ¶ Eschetors shalbe named in euerie of the said shires by ẏ Lord Treasorer of England, by the aduise of the said Presidẽt, Councel & Justices, or iii. of them at the least, whereof ẏ said Presidẽt to be one, which Eschetors shal make & take their othes, & knowledge their recognisances before the saied Presidẽt or one of the said Justices, by vertue of the Quẽns writ of Dedimus potestatem to be directed for the same, for ẏ due executiõ of their offices, & for their true accõpt to be made beefore ẏ Quẽns auditor or auditors, to be assigned for the same, which oth & recognisance shalbe agreeable to ẏ othe & recognisãce vsed for ẏ Eschetors in England, & the Eschetors shall yerely haue their patents & commissions vnder the great seale of Englãd, & shal haue power to exercise their offices, in like maner & forme as Eschetors in England, and shalbe bound to all lawes & statuts of England, And all such persons as shalbe appointed to ẏ said offices, shal & may exercise their offices, if they may dispend yerely v.li. of free hold, any statutes of England to ẏ contrary thereof not withstanding. And euery of ẏ said Eschetors shal make their accõpts yerely before such Auditor, or Auditors, as shalbe assigned by ẏ Quẽne, to heare & determine her accompt, for her reuenues & profits of the said dominion of Wales. 34. H. 8.

Coroners. 52 ¶ There shalbe ii. Coroners to be elected in euery of the said vii. shires as is vsed in England, by vertue of the Quẽnes writt de Coronatore eligendo to be awarded out of the Quẽns Chauncery of England. And the said Coroners shal haue like authoritie to do & exercise their offices, and haue like fees, as is limited by the lawes and statuts of England, Prouyded alwaies that the writt de Coronatore Eligendo, to chose the Coroners within the said countie of Flint, shalbe directed out of the Eschequer of Chester. An. 34. H. 8.

Constables of the hundred. 53 ¶ The saied Justices of peace, or two of them at the least wherof one of thẽ to be of ẏ Quorum, shal appoint & name in euery hundred within the limits of their commission two substantial gentlemen, or yeomen to be the chiefe Constables of the hundred wherein they inhabite, which two Cõstables of euery hũdred shal haue speciall regard to the conseruation of the Quẽnes peace, and shal & may doe & vse their offices in al & singuler thynges as is vsed by the high Constables of the hundreds in England, & shalbe bound to al thynges as high Constables of the hundreds in England be bound to. 34. H. 8.

Stewards of Courts. 54 ¶ All Stewards of any Lordships, or manors in Wales, shal & may kẽpe and hold such leets, lawdayes, & Court Barons, as ap-

as appertayneth and belongeth to ỹ Lordships & manors where-of they be Stewards, & hold plees by plaint vnder ỹ lũme of xl.s. in euery such Court Baron, & haue & inioy all other aucthorities, commodities, & profites, as Stewards of Lætes, lawdayes, and Court Barons in England commõly haue & bẽn vsed to haue by reason of the said offices, and none other, any lawe, custome &c. in the said dominion of Wales, notwithstanding. But the said Stewardes nor any of them, nor the Sheriffe of the saied counties in Wales, shal haue any aucthoritie to inquire of any maner of felonie in any such læte, laweday, or turne, within the saied dominion to be holden. And no læte, nor laweday shalbe kept by the Steward or other officer of any Lordshippe or manor in the sayed dominion of Wales, but in such Lordshippes and places where it was accustomed to be kept, before the making of the statut of 26. H.8. so alwayes the place where such court shalbe kept be mẽte & conuenient for that purpose. 34. H.8.

No sheriffe or Steward shall inquire of felony.

55 ¶ Al Maiors, Bailiffes, & head officers of corporat townes in Wales may hold pleas, and determine actiõs, & do euery other thing concerning cõmon Justice, according to their lawful graũts & lawdable customes of such townes, so alwayes they followe the course, trad & fashion of the lawes and customes of the realme of England, & not of any welsh lawes or customes, And in euery of the said townes they may trie al issues ioyned in any accion personall by vi. men, according as heretofore in diuers places of the said countrey it hath bene vsed, any thing in this act &c. notwythstanding. 34. H.8.

Head officers of corporate townes.

56 ¶ The Aulneger in Wales by him selfe, or his sufficient deputie or deputies, shal in al things to his office appertaining do, & be bound to doe, & aunswere in euery case like & according as all & euery Aulneger in Englãd do or ought to do according to ỹ laws & statuts of ỹ realme of England. And for ỹ contrary doing or exercising of ỹ said office, shal in euery case & degree suffer, as by the said lawes & statuts is ordayned for Aulnegers vnder the Treasorer of England for the time being. 34. H.8.

Aulneger.

57 ¶ Al Justices, Cõmissioners, Sheriffes, Corroners, Eschetors, Stewards, & their Liuetenãts, & al other officers & ministers of the law, shall proclaime & kẽpe the sessions, courts, hundreds, lætes, sheriffs courts, and al other courts in the english tong, & all othes of officers, Juries, & enquests, & al other Affidauits, verdicts & wagers of lawe, shalbe geuẽ & done in the English tonge, & also no person or persons that vse the welsh speach, or language, shall haue or inioy any maner office or fees win ỹ realme of England,

Al courts &c. kept in the englishe tonge.

No vse of welsh speach by officers.

Wales

Wales or other the Quéens dominions, vpō paine of forf. ẏ same offices or fées, vnles he or they vse ẏ speech or lãguage of English. 27. H. 8. 26.

Fees rated by the p̄sident & Councel.

58 ¶ In al and euery writs original or iudicial, or other proces plées, or writings which be not expressed in this ordinance, ẏ fées thereof as well for ẏ seales, as writing, shalbe rated by ẏ said P̄sident, Counsell, & Justices, or three of them, whereof ẏ said P̄sident to be one, by their discretions from time to tyme as the case shal require, & they shal haue full power from time to time, to alesse & appoint, what fée ẏ said sheriffs, Eschetors, & Corroners and their ministers, prenotaries, & their clarkes, & other ministers of Justice in ẏ said sheres shall haue of the Quéenes subiects for any maner writs, plaints, pleas, proces, returnes, or any other matter or thing concerning, or belonging to ẏ execution of their offices & rowmes, & to augment or diminish any fée or fées, aboue declared, as shalbe thought by their discretions to be conuenient & méete for the common wealth of the Quéenes subiectes of those parties of Wales. 34. H. 8.

Al officers obediẽt to the p̄sidẽt Councell & Justices &c.

59 ¶ Al Maiors, Sheriffes, Stewards, Bailiffes & other ministers and officers of Justice of euery countie, Lordship, towne and place within the said dominions of Wales, & al and singuler ẏ Quéens subiects of the same, shalbe alwaies obedient, attendãt and assisting to the said P̄sident, Counsaile & Justices of Wales and euery of them, and shall obey the Quéenes commaundemẽts and proces from them or any of them directed, & al the lawfull and reasonable precepts of the said P̄sident, Counsaile, & Justices & euery of them. And also shalbe obedient to all the saied Justices of peace, sheriffes and eschetors within the limits of their saied authorities, aswell for common administration, & due execution of Justice, as in al other thinges appertaining to their duties and offices. 34. H. 8.

No felon shalbe put to his fine.

60 ¶ No persō for murder or felony shalbe put to his fine, but suffer according to ẏ lawes of ẏ Realm of Englād, except it please ẏ Quéene to pardon him. And if ẏ said Justices sée cause of pitie or other consideratiō, they may repriue ẏ prisoner, til they haue aduertised ẏ Quéene of the matter. 34. H. 8.

No man shal agree with a felon

61 ¶ If any murder or felony be committed within Wales, then the partie to whom any such offence shalbe committed, shall in no wise take any end or agreement with the offēdor in that behalfe, nor with any other in his name, or behalfe, vnlesse the sayed party first make the said P̄sident and Counsell, or one of ẏ sayd Justices priuie vnto the same, vppon paine of imprisonment and

greeuous

greuous fine, to be set and adiudged at the discretion of the sayd President, Counsaile and Justices, or two of them, whereof ỳ said President to be one. The same paine and penalties to extend aswell to and against such as shall labour, moue, or procure any such end or agreement made (although the same labour, motion, or procurement neuer take effect to make any end or agreement) as against him or them, with whom such end or agreement shalbe made, if the same happen to take effect. 34. H. 8.

Tumults.

62 ¶ No person or persons without lawfull authoritie, shall make any rumors, tumults, vnlawful assemblies, or outcries at any of the said courtes or sessions, nor any outcries, nor vnlawfull assemblies in great numbers at any other time, except it be for ỳ apprehension or pursuyng of murderers or felons, vpon payne of imprisonment, & greuous fine to be tared and set vpon them by the said President and Counsaile, or by the Justices or other Officer before whom such misbehauiour shall happen to be committed. 34. H. 8. & 4. H. 4. 27.

Voucher or forein plea.

63 ¶ In case any forein plea, or voucher be made before any of the said Justices of Wales, betweene partie and partie, triable in any other shire within Wales, then where the said plea is pleaded or voucher made: Then the said Justices before whom the same plea or voucher shalbe pleaded or made, shal & may send ỳ Quéens writ, with a transcript of the record, mencioning the same forein matter of plea or voucher, vnder the seale to him committed, vnto the Justice of ỳ countie where the same matter shalbe triable, cõmaunding the said Justice by vertue of ỳ said writ to procéede to ỳ trial thereof, according to the Quéens lawes & statuts, which trial so before him had, he shal remaund with the whole record, vnto the Justices before whom ỳ said plée or voucher was pleaded or made who thereupon shal procéede to iudgemẽt, as the case shal require, And in case the same forein plea, voucher, or other matter so pleaded, be triable within the Realme of England: Then the Justice before whom ỳ same plée or voucher shalbe pleaded, had or made, shal & may procéede to the trial therof, as shal appertaine vñ the same shire of Wales, where the same old plée, voucher, or matter was pleaded, the said forein plée, voucher, or any other thing or matter to the contrarie thereof notwithstanding. 34. H. 8.

All lãds in wales shalbe English tenure and not gauelkind.

64 ¶ All manors, lands, tenements, messuages, & other hereditaments, & all rights & titles to the same in any of the shires of Wales, discended to any maner person or persons since the feast of the Natiuitie of S. Iohn Baptist. 33. H. 8. or that hereafter shal discend, shalbe taken, enioyed, vsed, and holden as English tenure

to all intents, according to the common lawes of this Realme of Englande, and not to be partable among heires males after the custome of Gauelkind, as heretofore in diuers parts of Wales hath beene vsed. And the same law from & after the said feast of Saint Iohn Baptist in the said 33. yeare, shalbe vsed, taken, & exercised in the said countie of Monmouth, & in al such lordships & other places as by vertue of the act made 27. H. 8. 26. or by any other acte or acts, made or to be made, were and shalbe annexed to any of the shires of Salop, Hereford, Gloucester, or other shires, any lawes or customes &c. notwithstanding, 34. H. 8.

Mortgage of lands.

65 ¶No mortgages of lands, tenements, or hereditaments, made or had after the said feast of saint Iohn Baptist, which was 33. H. 8. or that hereafter shalbe had or made, within any of ẏ said shires or places, shalbe allowed otherwise, then after the course of the common lawes and statutes of the Realme of England, any vsage, or custome &c. notwithstanding. 34. H. 8.

Alienation of lands after the English maner.

66 ¶It shalbe lawful to all persons to alyen, sel, or otherwise put away their landes, tenements, & hereditamẽts within the said dominion of Wales, the county of Monmouth, & other places annexed to any of the shires in England, from them & their heires to any person or persons in fee simple, or fee taile, for terme of life, or for terme of yeares, after the maner and according as is vsed by the lawes of Englande, any welsh lawe, or custome heretofore vsed in the said dominion of Wales to the contrarie thereof notwythstanding: This Article to take effect, from and after the said feast of the Natuitie of Saint Iohn Baptist. 33. H. 8. 34. H. 8.

Inheritors in Wales bound by statut, or recognisance in England.

67 ¶If any person or persons hauing lands, or tenements wᵗ in the said dominion of Wales, shalbe bound within the Realme of Englãd by obligation vpon the statut of the staple, or by recognisance, & pay not the debt as shal appertaine, Then vpon certificat thereof made into the Quéenes Chauncery of England, by the Clerke of the staple, or by any Iustice of record, before whom such recognisãce shalbe knowledged, proces shalbe made to the sheriffes of Wales, out of the Chauncery of England, after ẏ forme as is vsed to be made vpon statuts & recognisances by the course of the lawes of England, for due leuying & paying of the said debt. But for such recognisances as shalbe taken & knowledged before the Quéenes Iustices of her Bench, or common place in England, proces shalbe had & pursued immediatly out from ẏ said Iustices, as is vsed vpon recognisances taken before the Iustices by ẏ common course of the lawes of England. 34. H. 8.

68 ¶ All ſuch writs, bills, plaints, plees, proces, challenges, and trials ſhalbe vſed thorough out all the ſhires aforeſaid, before the ſaid Juſtices in their ſeſſions, as is vſed in Northwales, or as ſhal be deuiſed by ẏ ſaid Preſident, Councel, & Juſtices, or three of thē, whereof the ſaid Preſident to be one, for the good miniſtration of juſtice to be had in euerie of the ſaid ſhires. 34. H. 8. What writs, bils, & proces ſhalbe vſed.

69 ¶ If any perſon or perſons, their aunceſtors, or they whoſe eſtate he or they haue, haue ben in peaceable poſſeſſion of any lāds & tenements in Wales by the ſpace of fiue yeares, without let, interruption, or lawfull claime, Then the ſame perſon or perſons ſhall ſtill continue their poſſeſſion, vntil ſuch time as it be lawfully recouered againſt them by order of the Quēenes lawes, or by decrē of the Preſident & councell there. 34. H. 8. v. yeares poſſeſſion.

70 ¶ Euery perſon that hath any landes or tenements in fee ſimple, or fee taile, or for terme of his life, or for terme of any other mans life, being freehold, ſhal & may paſſe in al maner Juries & trials, aſwel in caſe of felonie or murder, as in all accions reall, perſonal, & mixt whatſoeuer they be (attaint onely except) and alſo may be impanelled, & inquire of al concealments, forcible entries, & other cauſes of inquirie for ẏ Quēene, albeit he may not diſpend xl. s. by yeare. Saueing to euery man his lawfull challenge for any other cauſe according to the lawes of the Realme of Englande. And no Juror ſhal paſſe in attaint, vnleſſe he may diſpend xl. s. by the yere of eſtate of freehold. 34. H. 8. What liuing the Jurors in euery caſe muſt diſpende. Attaint.

71 ¶ S. 5. El. 25. 14. El. 9. Iurors 21. that the demaundants & plaintifes, tenantes & defendantes in wales, vpon requeſt made to the Juſtices of the great ſeſſions, may haue a Tales de circumſtantibus, where a ful Jurie ſhal not appeare, or els after apparāce of a full Jurie, where the Jurie is like to remayne vntaken for default of Jurors by challenge of any of the parties. S. 34. H. 8. that in perſonall accions taken & purſued before the Juſtices in Wales by writ or bil, if ir. of the Jurie be ſworne to trie the iſſue, & the reſidue make default or be tried out, then the ſhirifes ſhal & may immediatly returne other names in the ſaid Jurie De circumſtantibus, vntil there be xij. ſworne to trie the iſſue, as before the Juſtice of Northwales hath bene vſed. Tales de circumſtantibus.

72 ¶ If any goods or cattells be ſtollen by any perſon or perſons, and ſold in any faire or market within the ſaid dominion of Wales, no ſuch ſale ſhall change the propertie thereof from the owner of the ſame, but he may lawfully ſeiſe, take, and haue the ſame againe, vppon proofe thereof made, the ſaid ſale notwithſtanding. 34. H. 8. Sale of ſtollen goods.

No cattel shalbe bought out of the market &c.

73 ¶No person or persons shall bargaine or buy any maner of beast, or other quicke cattel in any place within Wales, out of ỹ market or faire, vnlesse he can bring forth sufficient and credyble witnesses of the name of the person, what place, & time he bought the same, vpon paine and daunger of such punishment and fine as shalbe set vpon him, by the said President and Counsaile, or any of the said Justices in his circuit, for the said offence, and as he will therefore aunswere at his further perill. 34. H. 8.

Pursuitt after stollen goods.

74 ¶If any goods or cattels be stollen within the limits of any of the said shires of Wales, then vpon suit thereof had & made the tract shalbe followed, from townshipp to townshipp, or Lordshipp to lordshipp, according to the lawes & customes in that behalfe heretofore vsed in Wales, vpon such penaltie & daunger, as heretofore hath bene accustomed. 34. H. 8.

The Q. shall haue al eschets.

75 ¶The Quéene shall haue all felons goods, & goods of persons outlawed, wayfe, strayes, and all other forfaitures & eschetes whatsoeuer they be, aunswered thereof by the handes of the Shirikes. Sauing alwayes the rights & interestes of euery of her subiects, hauing lawfull title to haue the same. 34. H. 8.

Eche persons inheritaunce saued.

76 ¶This Act of 34. H. 8. or any thing therein contayned, shal not be preiudicial to any person or persons or bodies politique, for or concerning any landes, tenements, rentes, seruices, bondmen, tolles, or other hereditaments, but they and euery of them, their heires, successors, and assignes shall haue & inioy their lands &c. in such like maner as they had the same before the making of this Act. 34. H. 8.

Liberties of the Duchy.

77 ¶All liberties, fraunchises & priuiledges of the Duchy of Lancaster, or in any wise appertayning to the same, shalbe of the same force, and condicion, and may be vsed in as large and ample maner, as they were before the making of this act, any thing &c. notwithstanding. 34. H. 8.

Accions sued in the county of Monmouth.

78 ¶Al accions reals that shalbe commenced or sued for any lands, tenements, or hereditamẽts, or any other thing within the county of Monmouth, & all actions personals wõn the same shire, of the summe of xl. s. or aboue: And all accions mixt shalbe sued by originall writ, out of the Chauncery in England, & heard, determined, and tried before the Quéenes Justices in England, by Alsise, or Nisi prius, within the said Countie of Monmouth, in such like maner, forme, & wise, as al other accions reals, personals, and accions mixt be sued, heard, determined, & tried in or for any shire of the Realme of England. 27. H. 8. 26.

79 ¶The Queenes Justices of her bench, or of the common

Bench

Bench at Westm. haue full power to direct al maner proces to ẏ sherife, & all other officers of the said Countie of Monmouth, & also to direct writs of Venire facias to the same Shirife for the triall of euery issue ioyned before them, and also to award Commissions of Nisi prius into the said Countie of Monmouth, for ẏ trial of such issues ioyned before them, in like maner and forme as they doe into euerie shire of this Realme of England. 27. H. 8. 26. Trial of Nisi prius in the county of Monmouth.

80 ¶ All and euery the Quéenes subiects & inhabitants within the sayd Countie of Monmouth, be bound to be obedient & attendant to the Lord Chauncellor of England, the Quéenes Iustices, and others the Quéenes most honorable Councel, and vnto all lawes, customes, ordinances, and statutes of this Realme of Englande, in like maner, forme, and wise, as all other the Quéenes subiectes within euery shire of this Realme of Englande be bounden. 27. H. 8. 26. Inhabitants in Monmouth obedient to the lawes & Magestrats of Englād

81 ¶ The Shirife of the said Countie shal hold plea of Repleviare, and all other suits & plaints vnder rl. s. in his Coũty or shire Court, in like maner and forme, as al other Shirifes doe within this Realme of England. 27. H. 8. 26. Of what things the Shirife of Monmouth shal hold plea.

82 ¶ The Shirife, Eschetors, & Corroners that be within the said Countie of Monmouth, be bound to execute all the Quéenes procesle, and to make due returnes therof, and to vse and exercise their offices according to the lawes and statutes of this Realme of England, in al and euery thing, as the Shirifes, Eschetors, and Coroners be bound to doe in all and euerie other shire of this realme of England. 27. H. 8. 26. The Shirifes, Corroners, Eschetors duety.

83 ¶ The Shirife & Eschetors of the said shire of Monmouth that shalbe appointed by the Quéene, shall make their accompts for their said offices in the Quéenes Eschequer in England, in like maner & forme, as other shirifes and Eschetors doe within thys Realme of Englād, and vpon such like paines and penalties, as is other vpon shirifes and Eschetors in euery other shire within this realme of England. 27. H. 8. 26. The Shirifes & Eschetors accompt.

84 ¶ For all parliaments to be holden for this realme, two knightes shalbe chosen to the same Parliament for the shire of Monmouth, and one Burgesse for the Borough of Monmouth, in like maner, forme, & order, as other knightes & Burgesses of the Parliament be elected in all other shires of England, & the same knights & burgesses shal haue like dignitie, preheminence, & priuiledge, & shalbe allowed such fees, as other knights & burgesses of ẏ parliament haue ben allowed, & the knights fees shalbe leuied, perceiued, receiued, gathered & paied in such manor, forme, & order, as Two knights & one burgesse for the parliament.

such fées be gathered &c. in other shires of this Realme of Englād, as the burgesses fées shalbe leuied aswell within the borough of Monmouth, as within all other auncient Boroughes within the said shire of Monmouth. 27. H. 8. 26.

Hauerford west

85 ¶The Quéenes high Justice of the Countie of Pembroke shalbe high Justice of the Countie & Towne of Hauerford west, & shal haue like auctho*r*itie to & for the ministration of Justice w*i*n the said countie & towne of Hauerford west, as is appointed to the said Justice to & for the administration of Justice in the said countie of Pembroke. And the Maior, Shirife, Bailife, & Burgesses of the said countie & towne of Hauerford west, from time to time shalbe aswel attendant, & obey al precepts & commaundements of the Président and coũcel of the Quéene in her marches of wales, as also shalbe attendant to all precepts & proces awarded or directed by the said high Justice vnto the Shirife of the said county and towne of Hauerford west, & to make returne therof, & the said shirife of the said countie & towne, shall serue al precepts & proces directed from the said high Justice in like maner and forme, as the shirife of the said countie of Pembroke is boũd to doe, & according to the effect & purport of ẏ Quéenes ordinances in ẏ behalfe had, made, & prouided, And if shalbe lawfull vnto ẏ said Maior, shirife, bailife, & burgesses of ẏ said countie & towne of Hauerford west aforesaid, to vse & exercise al lawful liberties & graunts by king H. 8. or his progenitors to them graunted & confirmed, at the Quéens pleasure, according to the lawes of the Realme of England, & not otherwise. And the Judicial seale of the said shires of Pembroke, Carmarthen, & Cardigan, being in ẏ custodie of ẏ Quéenes high Justice there for the time being, shalbe vsed in the said countie and towne of Hauerford west, as the original & iudicial seale of ẏ same towne & countie. And the said Justice of ẏ said shires of Pẽbroke, Carmarthen, & Cardigan, shal haue like auctho*r*itie by vertue of ẏ Quéenes letters patents to him made, aswel to doe euery things cõcerning cõmon Justice to be ministred w*i*n ẏ said towne & coũty of Hauerford west, as he hath in his said letters patẽts w*i*n any of ẏ said shires of Pẽbroke, Carmarthen, & Cardigan. 34. H. 8.

Part of the Marches annexed vnto certaine shires in England and Wales.

86 ¶These Lordships, Townships, parishes, cõmots, & cantredes hereafter named, being lordships marchers, & sometime lying betwene ẏ shires of Englād & wales, & al honors, manors, lordships, castels, lãds, tenements, & hereditamtẽs, lying or being within the compasse or precinct of the said lordships, townships, hamlets, parishes, commots, and Cantredes, and euery of them, in whose possession soeuer they be, are gildable and taken as part

and

and member of the shire of Monmouth, vz. Monmouth the head and shire towne of the said countie, Chepstowe, Nathern, Lamphangel, Nagour, Goldecliffe, Newport, Wenlong, Laverne, Caerlion, Vske, Trelecke, Tinterne, Skinfreth, Grouſmont, Wite castel, Reglan, Calicot, Biſton, Abergauenny, Penrose, Grenefeld, Naghen, Hochupſlade. 27. H. 8. 26. Monmouth

87 ¶These Lordships, Townesships &c. are gildable, & wtin the shire of Radnor, vz. new Radnor, the head & shire towne of the said Countie, Elistherman, Elnelles, Bougherd, Glaselery, Clawdistre, Nihels church, Neleneth, Blewaghe, Knighton, Norton, Prelton, Cornorthder, Rayder, Gwethronion, Stanage. 27. H. 8. 26. Radnor.

88 ¶These Lordships, Townesships &c. are gildable, & wt̄ in the shire of Brecknocke, vz. Brecknocke the head & shire towne of the said countie, Crekehowel, Tretowre, Penkelly, Englishe Talgarth, welch Talgarth, Dynas, the hay Glynebogh, Broyles, Cantrrely, Lando, Blaynllynby, Estredow, Bueleth, and Lingors. 27. H. 8. 26. Brecknocke.

89 ¶These Towns are gildable, & withinthe shire of Mountgomery, vz. Mountgomerie ŷ head & shire towne of the said coũty Redelwēkey, Caweslād, Arnestely, Kentliock, Doythure, powelland, Clunellād, Balesley, Tempceſter, Alceſter. 27. H. 8. 26. Mountgomery.

90 ¶These Townes &c. are gildable, and within the shire of Denbigh, vz. Denbigh land, the head & shire towne of ŷ same coũtie, Ruthin, Saintialle, Kynllethowen, Bromfeld, Yale Chirke, Chirkeland. 27. H. 8. 26. Denbighe.

91 ¶These Townesships &c. are gildable, and annered to the countie of Salop, vz. Abertannad, Oſwester, Whettington, Walhake, Knocking, which with their members shalbe takē the hunred of Oſwester. And Elesmer annered to the hundred of Pimhill, and Downe, & Cherburie annered to the hundred of Cherburie. 27. H. 8. 26. 34. H. 8. Salop.

92 ¶These townesships are gildable, & annered to the county of Hereford, vz. Ewyas Lacy called the hūdred of Ewyas Lacy, Ewyas Haroldе, annered to the hundred of Webtre, Cliffordе, Wyforton, Perdesley, Whitney, and Huntington, called ŷ hunred of Huntington, Weigmore logharneis the hundred of Wigmore, Stepulton. 27. H. 8. 26. Herefordе.

93 ¶These Lordships are gildable & annered to the coũty of Glouceſter, vz. Wollaston, Tidnam, Bechley, al lands lying betwene Chepstow bridge in the Marches of Wales, & Glouceſter shire, & in the hundred of Weleburye. 27. H. 8. 26. Glouceſter.

Glamorgon. 94 ¶Theis Lordships are gildable, and annexed to the cõtie of Glamorgan, vz. Gowerkilney, Bishops towne, Landaff, Singhintghe Supra, Singhintgh Subtus, Pilkin, Ogmore, Aynerotheney, Tallagarne, Buthien, Tallaũ, Lambiethian, Lantwide, Tyerial, Auan, Neth, Lãdwey, & the Clayes. 27. H. 8. 26.

Carmarthen. 95 ¶Theis Townes &c. are gildable, & wõin the shire of Carmarthen, vz. Lanewnthe, Uery, Abermerlese, Kedwely, Elkenning, Cornewwolthon, Newcastell, Emlyn, Abergolly, and Lanstiffan, vlterlois, Langham, parcel of the hundred of Merleys. 27. H. 8. 26.

Pembroke. 96 ¶Theis Townes are gildable, and within the shire of Pembroke, vz. Kilgarran, Lanstekkan, Lange harne, otherwyse called Tellangharn, Walwinscastel, Dewes land, Lennehadem, Lankey, Henberth, Slebeiche, Rosmarket, Castellan, Landosloure. 27. H. 8. 26.

Cardigan. 97 ¶Theis Townes are gildable, & wõin the shire of Cardigan, vz. Tregaron, Generglin, Landway, Ureny. 27. H. 8. 26.

Flint. 98 ¶Theis Townes &c. are gildable, and within the shire of Flint. vz. Hoppe, Hawarden, Perefozd, Olley, and Woldesdale within the hundred of Woldesdale, Allaphe, within the hundred of Ruthland. 33. H. 8. 12.

Mouthway. 99 ¶The Lordships, townes, & parishes of Mouthway, & all lands, tenements &c. wõin the compasse of the same, are gildable, & annexed to the Countie of Pereoneth in Northwales as a commot, member, or part of the same. 27. H. 8. 26.

Worcest. 100 ¶The Towne of Bewdley within the parish of Ribbesford in the coũtie of Wygorne, & al the ground & soile of ỹ same towne, is united, annexed, & made parcel of the County of Wygorne, & wõin the hundred of Dodingtre, & the Inhabitãts of ỹ said towne & parish shalbe attendãt, & doe euery thing wõ ỹ inhabitants of ỹ said hundred. Sauing to the Burgesse & inhabitants of the said Towne of Bewdley, al such liberties and franchises, as they lawfully had and exercised in the same Towne before the making of thys Act. 34. H. 8.

Apparance & attendance at Courts. 101 ¶All and singuler person and persons dwelling or resiant within Wales, or in ỹ Lordships Marchers of the same, at al times vpon such monition or warning giuẽ for ỹ Court to be kept in Wales, or in any of the lordships marches, as before time hath bene vsed, shal personally appeare before the Justice, Steward, lieutenant, or other officer at all and euery Sessions, court & courtes, to be holden before the same Justice, Steward, or other officer in any whatsoeuer place within Wales, or wõin the precinct, limits,

and

and Jurisdictions of euery of the lordshipps marchers or seignories aforesaid, or the marchers of the same, as by the said Justice, steward, or other officers shalbe appointed, & then and there shall giue his & their personal attendance to do euery thing which to him or them shal appertaine, vpon paine of such fines, forfaitures & amerciamēts as shalbe assessed by the steward, Justice or other officer to the Quenes vse, if it be within any of the M. lordships marchers, & if it be wtin any other lordships marchers, thē to ỹ vse of the lord of the said Lordship marcher for ỹ time being. The said forfaitures and amerciamentes to be leuied by way of distresse of the goodes and cattels of euery person not appearing at the sayed court or courtes, or not doinge hys duetye, as is abouesayed 26. H. 8. 6.

An officer imprisoning one vpō an vntrewe surmise.

102 ¶ If any steward, lieutenant or any other officer of any lordship marcher in Wales, do faine, procure, or imagine any vntrewe surmise against any person or persons that shal so geue their personal attendāce before them at such court or courts where they haue rule or authoritie, and vpon the same vntrewe surmise, commit them to any deres or imprisonment contrarie to the lawe, or contrary to the true and lawdable custome of that lordship: Then vpon suit made vnto the Quenes commissioners or councel of ỹ marches for the time being, by any such person or persons so imprisoned, or by any of their friendes, the same Commissioners or counsaile shal haue ful power to send for such steward, Liuetenant or officer, and also for the person or persons so imprisoned, and if ỹ sāe person or persons so imprisoned, can euidently proue before ỹ said counsel by good and substancial witnesse, or otherwise, that his imprisonment was vppon any fayned surmise, without cause reasonable, or lawful, then the same commissioners shal haue ful power to assesse the said officer to pay to the said person or persons wrongfully imprisoned, vi. s. viii. d. for euery day of their imprisōment, or more by the discretion of the said commissioners, according to ỹ hurts & behauiour of the person or persons imprisoned, & the same cōmissioners shal set further fine vpon the said officer, to be paied to the Quenes vse, as by their discretions shalbe thought conuenient. And in case ỹ sāe officers doe refuse to appeare before ỹ same cōmissioners incontinent after any commaundemēt to thē directed, & deliuered after any such complaint made to the same cōmissioners, then the same Cōmissioners shal haue ful power vpō euery default made by any officer or officers to assesse & set vpon euery such officer or officers making default such fine or fines to be leuied to the M. vse, as by their discretions shalbe thought conuenient.

nenist. And ẏ sãe cõmissioners shal haue ful powẽr to cõpel ẏ said officer or officers by way of imprisonment, aswel to pay such fine as shalbe tared vpõ thẽ to ẏ Quẽens vse, as to pay vnto euery person or persons so imprisoned, such sũmes of money as they shalbe selled to pay for their wrong imprisonment. 26. H. 8. 6.

No weapõ shal be brought to courtes faires or churches.

103 ¶ No person dwelling or resiant wiñ wales, or the lordsh. marchers of the same, of what estate degrẽe or condition soeuer he be, cõming or repairing vnto any sessions or court to be holden wiñ wales, or any lordships marches of ẏ same, shal bring, or beare, or cause to be brought or borne to ẏ same sessions or court, or to any place wiñ ẏ distance of ij. miles from the sãe sessions or court, nor to any towne, church, faire, market or other congregation (except it be vpõ a huy or outcry made of any felony, or robbery dõe) nor in ẏ high wales in a traie of the M. peace, or the Quẽens liege people, any bil, long bowe, Crosbowe, handgun, sword, staffe, dagger, Halberd, morispike, speare, or any other manner of weapon, prinie coat, or armor defensiue, vpon paine of forfaiture of ẏ same weapon, prinie coat, or armor, & to suffer imprisonment & make fine and raunsom to ẏ M. by the discretion of the Quẽnes cõmissioners of her marches for ẏ time beig, except it be by ẏ cõmaũdement licence or assent of the said Justices steward, or other officer or of the cõmissioners, or counsel of ẏ marches for the time being. 26. H. 8. 6. 4. H. 4. 28.

Gathering common myrths exactions &c.

104 ¶ No person nor persons wout licence of the said cõmissioners in writing, shal within wales, or the marches of the same, or in any shires adioyning to the same, require, procure, gather, or leuy any Cõmorth, Bidale, tenãts ale, or other collectiõ or exactiõ of goods cattels, mony, or any other thig vnder colour of marying, or suffering of their Childrẽ saying or singing their first masses, or gospels of any prists or clerks, or for redẽption of any murder, or any other felony, or for any other maner of cause by what name so euer they shalbe called, nor shal make or procure to be made any games of Running, Wrestling, Lepping, or any other games (ẏ game of Shooting onely except) vpõ paine of j. whole yeres imprisõment of euery person or persons as shal gather or procure to be gathered any such collection or exaction, or shal make or procure to be made any games as is aforesaid. And further they and euery of them, shal make such fine, as by the discretion of the Quẽnes Commissioners of her Marchers shalbee thought conuenyent: And further the saied Commissioners shall haue power to heare and determyne the sayed offences by their Examination. Anno 26. H. 8. 6.

Procuring of games.

105 ¶No person or persons shal at any time cast any thing into any Court within Wales, or in the lordshipz marchers of the same, by the meane or name of an Arthel, by reason whereof the Court may be letted, disturbed, or discontinued for that time, vpon paine of one whole yeares imprysonment of any such person or persons, as shal cast or cause to be cast any such Arthel, into any Court or Courtes to bee holden within Wales or the Lordshippes Marchers of the same, any custome &c. notwithstanding. 26. H. 8. 6. Arthel.

106 ¶All sessions & courtes to be holden wᵗin wales or ẏ Lord-ships marchers of ẏ same, shalbe kept wᵗin ẏ most surest and peaceable place within the same lordship marcher, where ẏ said Justice, steward, or other officer shal appoint. 26. H. 8. 6. Where sessions shalbe kept.

107 ¶The Justices of the gaole deliuery, and of the peace, & euery of them for the time being in the shire or shires of England where the Quéenes writ runneth, next adioyning to the Lordship marcher, or other place in Wales, where any coũterfaiting, washing, clipping, or minishing of any Coine currant within this Realme, or murder, shalbe committed or done, or where any other felonies or accessaries shalbe committed, haue aucthoritie at their sessions and gaole deliuery to inquire by verdict of xii. men of the same shire or shires next adioyning within England where ẏ M. writ rũneth, there to cause al such coũterfaiterz, washers, clippers of money, felons, murderers, & accessaries to ẏ same to be indicted according to the lawes of this land, in like maner as if the same petty treasons, murders, felonies, & accessaries to the same, had ben cõmitted wᵗin any of ẏ said shires, wᵗin ẏ said realme, & also to heare determine, & iudge ẏ same, according to the lawes of the realme. And al forein plées, pleaded by any of ẏ said offendors, shalbe tried & determined in ẏ said shire or shires, & the acquital or fine making for any of the causes aforesaid, in any of ẏ lordships marchers shal be no barre for any person or persõs being indicted in the said shire or shires within ii. yeares next after any such murder, or felonye done. 26. H. 8. 6. Inquire in the Coũties adioyning, of offeces committed with in the Lordship marchers. Forein plees. Acquital in lordships marchers

108 ¶The said Justices of peace and gaole deliuery, & euery of them, haue aucthoritie to award al maner of proces, as wel of outlawrie, as otherwise, against al and euery such offendor and offendors so indicted, in maner, and forme, & according to the customes and lawes vsed within this realme of England. And the said Justices or ii. of them before whome any such offendor shal happen to be outlawed or attainted by vtlagarie, shal immediatly vpõ ẏ sãe vtlagarie or attainter, direct and send vnto ẏ Quéenes officers of her Proces of outlawry against persõs indicted.

of her lordships marchers, or to their deputie, or vnto the lord or lords marchers of the same lordship marcher, or to his or their officer, or officers, or to their deputies, wherin such offẽce, murder, or felony shal happen to be done, or where any such offendor, murderer, or felon shal happen to be resiant, a certificat vnder ỹ seales of them, or two of thẽ, of any such vtlagary or attainder, cõmaunding them & euery of them by the sãe, vnder paine of forfaiture of C.li. to the Quéne, to be leuyed and perceiued aswel of the goodes, cattels, lands, & tenements of the same lord or lords marchers, as of the goods & cattels, lands, & tenements, of ỹ Quénes officer there, to apprehend & attach, or cause to be apprehẽded & attached ỹ body or bodies of the same offẽdor or offẽdors so outlawed or attainted, & safely to kepe or cause to be kept ỹ sãe offendor or offendors, til such conuenient time, before the next Sessions of the Quénes Iustices of her gaole deliuery of the shire where such offẽdor or offendors shal happen to be outlawed or attainted, as to ỹ Quénes Officer of her Lordships marches, or to their deputies, or vnto the Lord marcher, or Lords marchers of the same Lordship marcher, or to his or their officer or Officers, or their deputies, where such offendor or offendors, shalbe apprehẽded, attached, detayned, and kept, shalbe thought expedient for the conueiaunce, and conducting of the same Offendor or Offendors, in maner and forme followinge, to be deliuered from the Quénes officers or their deputies, or the lord marcher, or the Lords marchers, or hys or their officer or officers to other persons assigned by this Act, to receiue and conuey such offendor or offendors by Indenture to bee made betwene the deliuerer or deliuerers, and the Receiuor or Receiuors: That is to say, the Quénes Officer of her Lordship marcher, or their deputies, or the Lord or Lords marchers of the lordship Marcher, or his or their officer or officers, or their deputies, where such offendor or offendors shalbe apprehended, attached, deteined and kept, shal safely conduct and conuey, or cause to be conducted and conueied, the same offendor or offendors to the next Lordship Marcher toward the shire where the same offendor or offendors shal happen to be outlawed or attainted. And ỹ Quéns officers of the same Lordship Marcher or their deputies, or the lord or Lordes marchers of the same Lordship marcher, or his or their Officer or Officers, or their deputies, shall receiue and safelye conuey the same offendor or offendors, to the nert Lordship marcher. And so the Quénes Officers of euerye Lordship marcher or their deputies, or the Lord or Lords marchers of the same Lordship, or his or their Officer or Officers, or their deputies, to receiue

Certificat of Outlawrie.

Conueiance of offendors from one lordship marcher to another.

receiue and conuey safely euery such offendor or offenders from one lordship marcher to an other Lordship marcher by indenture, as is aforesaid, vnto the time that such offẽdor or offendors shalbe safely deliuered before the said Justices of the Gaole deliuery, vppon paine of forfaiture by euery of the Queenes officer or lord marcher, by whose default the same Offendor or Offendors shall ne may not appeare before the same Justices at their said sessions, there to stand and abide the order of the Queenes lawes. C.li. to be leuied and perceiued of the goods and cattels, lands & tenements, of the same officer or Lord, to the Queenes vse. And al and euery officer and officers, lord and lords, or other persons to whom any Certificat shalbe directed, as is aboueslaid, shal at the nert Sessiõs and Gaole deliuery to be holden after the apprehention or attachment of such offendor, or offendors, returne the same Certificat in due forme, and what he or they haue done in that behalfe vppon the paine aforesaid. Sauing alway to al and euery offendour and offendours, al and singuler Trauerses, Challenges, Exceptions, aduantages, and al other Pleas, to, of, and vpon ẏ outlawrie pronounced against the same offendor or offendors, in manner and fourme, as is, and hath ben vsed by the lawes of thys Realme, for any the Queenes subiectes dwelling within the same realme, 26. H. 8. 6.

Returne of the Certificat.

Al aduantages saued to the offendor.

109 ¶This act shal not extend to abridge or depriue any liberties, priuiledge, or auctoritie of any Lord marcher, heretofore graunted to the same lord, or lawfully vsed or accustomed by the said lord, or any of his anncestors, vnles ẏ foresaid offẽdors happen to be indicted, outlawed, arraigned, conuicted or attainted by force of this act, as is aboueslaid, wthin ii. yeres next after such murder, or other felonious offence committed, within the said lordship marchers, or any of them, any thing in this act &c. notwithstandinge. 26. H. 8. 6.

No liberties of any lord marcher abridged.

110 ¶Al murders, robberies, felonies, & accessaries to the same, which shal happen to be committed within ẏ shire of Meryoneth in wales shal & may be inquired, heard and determined in ẏ courtes of Carnaruan or Angleley, before the Queenes Justices of North wales, or their deputie for the time being, by verdict or enquest to be taken by the inhabitants of the same shires of Carnaruan & Angleley or otherwise, if by the discretion of ẏ Justice there or his deputie, it shalbe thought conuenient. And ẏ same Justice or his deputie for ẏ time being, shal haue ful power by his discretion by force of this act, to heare & determine, al & euery ẏ afore said murders, felonies, robberies, & accessaries, in forme aforesaid.

Felonies cõmitted in Meryoneth.

26.H.8.6. But see the sta. 34.H.8. that ẏ forsaid act, & euery article therein conteined shal take effect & be executed in al pointes, for & concerning any of ẏ said offences done wiñ the coũty of Shereoneth to be inquired of, heard & determined wiñ ẏ county of Salop, in like maner & forme as cõmonly is & hath bene vsed for any of the same or like offences committed within any other county or place of South Wales.

Where and to whome an offendor shalbe committed.

III ¶ Euery officer & officers, & there deputies, vpon cõmaundement geuen by the commissioners or councel of the marches for the time being, shal bring send, or deliuer euery offendour (which doth commit any murder, robberye, or felonye, wythin the Lordshippes marchers of Wales, or in other places of Wales, without the same lordships marchers, and doth fly & escape from ẏ same lordship or other place, where such offence was cõmitted, & repaireth into another Lordship marcher) to the officer of ẏ Lordship marcher or other place, where any such offence shalbe cõmitted or done vpon ẏ metes & bounds of the saide Lordships, or to the saied commissioners or counsel, according as the said officers by thẽ shal be commaunded, vnder paine of xl.li. the same cõmaundement or cõmission to be directed to any such officer to be sent conueyed, & deliuered by a seriant at Armes, or a pursuant, attendaunt on the sayd Counsell in the Marches, for the tyme beinge. 26.H.8.6.

Exactions takẽ in Forestes in Wales.

112 ¶ Al such vnlawful customes, as haue bene vsed in seueral Forests in wales, & the marches of ẏ same, (for the taking of vnlawful exactions of any of the Quẽnes subiects which passe, goe, or ride thorough, or in any way or path of any of ẏ said Forests, not hauing vpon him a tokẽ deliuered vnto him by the chiefe Forresters, Rulers, walkers, or Farmors, Or to take al such mony & gold, as shalbe found vpõ him which is taken by the space of xviij. foote out of the high way in any of the said Forestes, or to cause ẏ same person so taken out of the high way, to lose a Ioint of one of his hãds, or to make fine therefore with ẏ Forresters, Rulers &c. at their wil & pleasure. Or for any Forresters, Rulers, walkers, or Fermors, vnlawfully to seise & take any Beastes, or quicke cattel, & marke them with ẏ marke of their Forest which do happen to come, go, or escape into any of ẏ said Forests, by stray, or theft (ollẽ, or otherwise) shalbe determined void, & had for naught, thorough out al & euery of the said Forests within wales, & the marches of the same. And it shalbe lawful to al & euery of the Quẽns true subiects, & al other person and persons being in league & amitie wiñ our soueraigne Lady ẏ Quẽne, her heirs & successors, kings or Quẽnes of England, freely, quietly, & in peace, to passe and repasse

ryde, trauelle and goe into & thorough out ỳ said Forests & euery of them, both on horsebacke and on foote, as well following and driuing of cattel, as with carrying of wares, or otherwise about their lawful busines & affaires, without any fine, forfaiture, tol, customs exaction or other imposition to be taken, exacted or demaunded of thē, or any of thē, by ỳ said Foresters, rulers, walkers, Farmors, or their assignes. And if it shall chaunce any of ỳ said Forresters, rulers &c. at any time to take any person or persons, being the K. true subiects, or otherwise in league & amity with our soueraigne Lady, her heires or successors, kings or Queenes of England, as is aforesaid & exact and take of them, or of any of them, any of ỳ said forfaitures, fines, tols, customes or exactions, as is aboue mencioned, & be therof lawfully conuicted: Then he or they so doing & offending contrary to this act, to incurre & stand in daunger of the stat. heretofore prouided for robberies by the Queenes high way, and the same to be tried before the Justices of ỳ peace in the next shire adioyning, according to the lawe of this realme of England. 27. H. 8. 7. 23. H. 8. 1. See Clergie. 13.

113 ¶ If any maner of beast or quicke cattel of any of the K. true subiects, or other the Queens friends, at any time doe come into any of ỳ said Forests by straies, theefe stollē, or otherwise, & there be marked & seised by any of ỳ said foresters, rulers, walkers farmors, or their assignes, or any of them, & the owner or owners of the same cattel, wthin one yeare & a day thē next ensuing, chaūce to find the said cattel so taken, & lawfully proue the same to be his or their owne proper cattel, then the same cattel shalbe redelyuered to the owner or owners thereof, according to the auncient lawe of this realme of England, the said owner or owners reasonably paying for ỳ keping of such cattel, after the rate of the time, ỳ such cattel shal haue bene in the custody of any such foresters, Rulers &c. or his or their assignes, in such maner & forme, as heretofore hath bene in like case vsed to be done, by the lawe of this realme, of straied cattel claimed and proued by the owners within a yere & a day next after the seising of the same cattel. And if any of the said Foresters rulers &c. or their assignes do deny ỳ redelyuerance of any such cattel, by thē, or any of them so seised or marked wth any of the said Forestes, after ỳ owner or owners of them shal make duely & lawfully proued them to be his or their owne proper goods and cattels, as is aforesaid: Then euery such Forester, ruler, walker, Farmor, or their assignes so doing and offending cōtrary to this Act, shal forfait, and paye vnto the partye greeued, ye double value of all such Cattell, as shalbee soe taken and

Redelyuery of straies or theefe stollen goods.

marked

marked, and not deliuered to ẏ owner or owners as is aforesaid. And the ꝑ. greeued may haue his action of detinue at the comon lawe, of and for the same cattel against euery such offendor or offendors, and the same to be tried in the next shire adioynant, wherein no Wager Essoine ꝑ. &c. And like proces of outlawrie shalbe had and made in the said action of detinue in the next shire adioynant against euery Forester, Ruler &c. or their assignes, so offending contrarie to the tenor of this Act, as in an action of trespas at the common lawes of this Realme is vsed. 27. H. 8. 7.

A Bailly for keping of a Jury.

114 ¶ Forthwith vpon the charge giuen to any Enquest to be taken and sworne before any Justices, Steward, Lieutenant, or other officer within Wales, or the marches of the same, of, for, & vpon any trauerse against the Quéene, or the trial of any recognisance broken, or any other forfaiture forfaited to the Quéene, or of, for, and vpon the trial of any murderer, felon, or accessarie of felonye, or murder: One Officer or other person shalbe deputed, and sworne in the presence of the said Justiciar, or other officer, for the true and diligent kéeping of the same Jurors. And the same Officer or other person so sworne, without the special commaundement of the said Justiciar, or other officer, shal not doe, or suffer to be ministred to the same Jurors, any bread, drincke, or meat, fier, or light, nor shal suffer the same Jurors to speake to any person or persons, nor the same officer or other person sworne, wout ẏ cõmaundement aforesaid, shal not speake to ẏ said Jurors, but only to demaund of them of their agreement, vnto such time as the same Jurors shal haue giuen their verdict, any vsage or custome heretofore vsed to the contrarie notwithstandinge. And if the same officer or other person so sworne in forme aforesaid, do not execute and accomplishe the premisses in ẏ oth before rehersed, in euery point & article: Thẽ he shalbe punished & imprisoned, & make fine and raunsom to the K. by the discretion of the said Justiciar, Steward, Lieutenant, or other officer. 26. H. 8. 4.

Vntrue verdict.

115 ¶ If the same Jurors doe acquit any such felon, murderer or accessarie, vpon whose trial they shalbe charged, or geue any vntrue verdict against ẏ K. vpõ the trial of any trauerse, recognisance, or other forfaiture, contrarie to the good and preygnaunt euidence ministred to them by persons sworne before the said Justiciar, Steward, Lieutenant, or other officer, or that the sayed Jurors, or any of them doe eate, drinke, or speake, to or with any person or persons, then to such as be sworne with them, or other wise misdemeane thẽ selues after they be sworne and before they haue giuen their verdict, then the lord President, or other of the Coun-

sell

sell of the Marches for the time beinge, vpon notice or complaint thereof to them made, shall not onely haue authoritie to call such Jurors before them, but also the same Justiciar Steward or other officers afore whom any suche acquitall, vntrue verdict, or mil-demeanors shal happen to be made, shal haue full power to cõpell such Jurors & euery of them vpon paine of imprisonment, to bee bounden by recognisance in a certayne summe of money by their discretion to be limitted, that the same Jurors & euery of thẽ shall personally appeare at a certaine day by the same Justiciar, Steward or other officer to be limitted before the Lord President, and other of the Counsel aforesaid, for the time being, then and there to abide and stand to such direction and order, as the same Counsell shall make, ordeine, and decree, of, in, and vpon the same. And the same councel shall thereupon haue authoritie by examination or otherwise, to heare and determine all and euery such cause, and shal haue like authoritie to commit euery of the same Jurors to prison, or other punishment, as shalbe thought most meete by the discretion of ỹ said Councel, or otherwise assesse or tare euery such Juror to his fine or raunsome, by the same discretion, to be payde and leuied of their lands, goods & cattels, to the vse of the Queene. 26. Henrici 8. 4.

A Burgesse for Hauerford west

116 ¶ The towne of Hauerford west shal for euer, finde one Burgesse for the said towne at euery Parliament to be holden in Englande, and the charges of the same Burgesse shalbe alwayes borne by the Maior, Burgesses, & inhabitants of the said towne, & none other. 34. H. 8.

Knights & burgesses for the Parliament.

117 ¶ For al Parliamẽts to be holden for this realme, one knight shalbe chosẽ to the same Parliamẽts for euery of ỹ shires of Brecknock, Radnor, Mountgomery, & Denbigh, & for euery other shire wtin the said coũtrey of Wales, & for euery borough being a shire towne wtin the said countrey of Wales, one Burgesse (except the shire towne of the county of Mereoneth) & the electiõ to be in like maner, forme & order, as knights & Burgesses of the Parliament be elected in other shires of this realme, (& to bee named & chosẽ by the authoritie of the Quẽnes writ, vnder ỹ great seale of England. 34. H. 8.) & ỹ knights and Burgesses, & euery of them shal haue like dignitie, prẽminence & priuiledge, & shalbe allowed such fees as other knights of the Parliament haue & be allowed, & the knights fees shalbe leuied of the commons of the shire that they be elected in, & ỹ Burgesses fees shalbe leuied, & gathered as wel of the boroughs, & shire townes as they be Burgesses of, as of al other auncient boroughs wtin the same shire. 27. H. 8. 26.

The wages of knights of the parliament.

118 ¶The sherifes for the time being of euery of ẏ vij. shires in wales, & in ẏ county of Monmouth, haue aucthoritie to gather, & leuy, or cause to be gathered, or leuied, the knights fees or wages, of ẏ inhabitants of the vij. shires, & of ẏ said county of Monmouth, which ought to pay the same, & the same so gathered, shall pay, or cause to be paide to euery such knight or knights, or to his or their assignes, within two moneths next after such knight or knights, shal deliuer or cause to be deliuered ẏ Quẽnes writ, De solutione feodi militis parliamenti to any such sherife, and euery such sherife making default of payment of the said fee or wages in maner and forme aforesayd, shal forfait to the Quẽne and .xx.li. and if any sherife in any of the said twelue shires and county shal make default of payment of the said wages &c. by a longer time then two moneths, then he shal forfaitt for euery moneth that he shall make default xx.li. to be forfayted and leuied in maner and forme aforesaid. 35. H. 8. 11.

The wages of Burgesses, of the parliament

119 ¶Euery Maior & Baillifs, and other head officers of cyties boroughs & townes in euery of the said vij. shires and coũty of Monmouth within like space of ij. moneths after the receipt of the Quẽnes writ De solutione &c. shal leuy, gather and pay ẏ wages & fees to their Burgesses, in maner & forme aforesaid, & in and vnder like paines & forfaitures as is before mencioned, to be leuyed of the goods & cattels of euery such Maior, Bailife, & other head officer, to whom the Quẽnes said writ shalbe directed for the leuying of such fees making default of payment of the same to the Burgesses &c. 35. H. 8. 11.

By whõ Burgesses for the parliamẽt shalbe chosen.

120 ¶Because the inhabitants of all cities & boroughs in euerie of the vij. shires in wales, & in ẏ county of Monmouth, not finding Burgesses for ẏ parliament thẽ selues, must beare & pay the Burgesses wages wõin the shire townes of & in euery the sayd vij. shires & county, the Burgesses of euery of the said cities, boroughs & townes which be contributory to ẏ payment of ẏ burgesses wages of the said shire townes, shalbe lawfully admonished by Proclamation, or otherwise by the Maiors, Baillifs, or other head officers of the said townes, or by one of thẽ, to come & to giue their electiõs for the electing of the said Burgesses, at such time & place lawful & reasonable, as shalbe assigned for the same intent, by the said Maiors, Bayllifes &c. of ẏ said shire townes, or by one of thẽ, in which election the Burgesses shall haue like voyce & aucthoritie to elect, name & chose the burgesses of euery of ẏ said shire townes in such maner as the Burgesses of the said shire townes haue, or vse. 35. Henrici 8. 11.

121 ¶Two

121 ¶Two Justices of peace in euery shire in wales & in the County of Monmouth haue auctho̲rytie indifferently to lot & taxe euery citie, bo̲rough, & towne within the said shires & cou̲ty, wherin they do inhabite, fo̲r the po̲rtions & rates that euery of the sayde cities & bo̲roughs shal beare & pay towards the Burgesses within the said shire townes of euery of the said shires and cou̲ty, which rates so rated & taxed in grosse by ỹ said ij. Justices, shalbe againe rated & taxed on the inhabitants of euery of the said cities, and boroughs by iiij. o̲r vj. discrete & substantial Burgesses of euery of ỹ sayd cities & bo̲roughs in wales thereunto named & assigned by the Maio̲r, Baillifs, o̲r other head officers of the sayd cities, townes & bo̲roughs, fo̲r the time being, & therupon the Maio̲r, bayllifes &c. of euery such citie, bo̲rough &c. shal gather the same, and thereof make payment to the burgesses of the parliament, wi̲n like time, & vpon like paines & fo̲rf. as is afo̲resaid. 35. H. 8. 11.

Rating of boroughs fo̲r the burgesses wages.

122 ¶Because Lo̲rdes marchers in times past haue vsed to put their tenāts wi̲n their lo̲rdships marchers, vnder cō̄mō mainprise & suertie of apparance, & haue had ỹ fo̲rfattures therof (which fo̲r euer shal vtterly cease & determine. 27. H. 8. 26.) Therefo̲re aswel ỹ Quęenes spiritual & ecclesiastical subiects, Lo̲rds marchers, hauing Lo̲rdships marchers, o̲r lo̲rdships royall in wales, & their successo̲rs & the successo̲rs of euery of thē, as also the heires & successo̲rs of the lo̲rds tēpo̲ral marchers within their lo̲rdships marchers & lo̲rdships royal in ỹ dominion o̲r principalitie of wales, shal haue & inioy to thē & to their heires & successo̲rs respectiuely & seuerallie fo̲r euer, ỹ moity & halfe of euery fo̲rf. of al & euery cō̄mō mainprise, recognisance fo̲r the peace, o̲r apparance fo̲rfayted by any their tenāts, inhabiting wi̲n any of their lo̲rdships marchers, o̲r lo̲rdships royal, & they to be payd ỹ same moyty by the hands of the sherifes of euery of the saide counties where such fo̲rf. shalbe, if the sherife can leuy the same, and the same sherife to accompt to the K. fo̲r ỹ other moity, & further shal haue all such mises and pro̲fits of their tenants as the lo̲rds marchers spirituall o̲r tempo̲rall respectiuely o̲r seuerally, had o̲r vsed to haue, at their first entrie into their lāds in times past, before the making of the said statute, and also shall haue, holde, & kęepe wi̲n the precinct of their said lo̲rdships, all such Courts Barons, Courts Lęte & lawdaies, & all and euery thyng & things to the same courts belonging, and also shall haue within the precinct of their saide seuerall lo̲rdships o̲r lawdayes, all such wayfe, straife, infangthęefe, outfangthęefe, treasure troue, deodāds, goods & cattels of felons, & of pso̲nes cōdēpned o̲r outlawed of felony o̲r murder, o̲r put i erigēt fo̲r felony o̲r murder, & also al such

Lo̲rds marchers tenants vnder commos mainprise.

Lo̲rdes marchers shal haue the moity of the fo̲rfaytures of their tenāts.

wrecke de meare, wharfage and customes of straũgers, as ỹ lords marchers, spirituall and temporal respectiuely and seuerally had & vsed, in times past before the making of the saide statute of 27. H. 8. 1. & 2. P. & M. 15.

2. Marches retaine their priuiledges. Tallage.

123 ¶The tenants & resiants in Wales shall paye their tallage at the change of their lordes in such places, & after such forme as haue bene accustomed in Wales. 34. H. 8.

Subsidies.

124 ¶All the Quéenes subiects and resiants in Wales shal be charged and chargeable to al subsidies, and other charges to bee graunted by the commons of any parliament holden in Englãd, and shal pay al other rents, fermes, customes & dueties to the K. as they haue bene accustomed (fines for redemption of Sessions onely except) 34. H. 8.

¶In the time of King H. 4. it was prouided by seuerall statutes that no VVelshman (except he vvere a Bishop or a tẽporal Lord) should haue any Castel, Fortresse, or house defẽsiue of his owne, but such as had ben vsed in the time of king. Ed. Conquerour of VVales, nor that any vvelshman should be made Iustice, Chauncelor, Chamberlaine, Treasourer, Sherife, Stevvard, Constable of Castle, chiefe foster, nor other officer, nor Lieutenãt in any of the said offices in any part of Wales, nor of counsaile vvith any English lord (Bishops & such as were tried faithful & obediẽt subiects except) nor that any English man maried to any vvelsh vvoman, should be put in any office in vvales, nor should haue any franchises vvith english Burgesses, nor that any person should carry any vitaile or armour into vvales vvithout the king or counsailes licence, sauing to store the english castles & tovvnes, nor that any english man should be conuict by any vvelshman in any court in vvales, but by englishmen of the next venue, and of good fame nor that any welsh man should purchase any land in England or in English tovvnes in vvales, nor should be Burgesse or haue any other liberty vvithin any of them, but it seemeth that the force of those statutes be taken avvay by the statut of 27. H. 8. 26. therfore see the first braunch of this title, and Quere.

Quere,

1 For Exigents & other proces for and against any persones dvvelling in VVales. S. Exigent. 6. 9.

2 That the Sherifes in vvales shal haue deputies in the kings Bench & Common place. S. Exigent. 7. 8.

3 That a Tales de circumstantibus is to be graunted in the xii. Shires in vvales. S. Iurors. 21.

4 The act prouided for Tanners, Curriers, Shomakers, &c. shalbe cõstrued to extẽd to vvales, as amply as it doth to Englãd. 5. El. 8.

5 In

5 In vvhat sort mortuaries shalbe payd in vvales & the marches. S. Mortuaries. 5.

6 For the trial of treasons & mispriſion of treason cõmitted in vvales, or the marches thereof. S. Treason. 12.

7 For money paide in vvales for the redemption of forfaytures. S. Rentes. 1.

8 For the aucthoritie of cõmiſſioners of Sevvers in the coũtie of Glamorgan in vvales, S. Sevvers. 6.

¶VVardes, Wardships, Mariages.

IF any man do enfeffe his eldeſt ſonne or heire being wỏin age of his inheritance, that thereby the lord might loſe his wardſhip yet notwithſtanding ſuch feffement, the chiefe lord ſhall haue his wardſhip. Marleb. 52. H. 3. 6. A tenant enfeoffeth his heire to defeat wardſhip.

2 ¶ If any perſons meaning to deuiſe their landes for terme of certaine yeres (that they might therby defete the lords of ẏ fee, of their wardſhips) wil faine falſe feffements, containing ẏ they are ſatiſfied of the whole ſeruice due vnto thẽ vntil a certein terme, & that ſuch feffees are bound to pay at the ſayd terme a great ſũme to the value of the ſame lands, or much aboue, ſo that after ẏ ſame terme the land ſhal reuert to them or their heires, for ẏ no mã wil deſire to hold the ſame of ſo great a price, yet by ſuch fraud no chief lord ſhal loſe his wardſhip. But it is not lawfull for ſuch lordes to diſſeiſe the feffees wỏut iudgement thereupon geuen, but they ſhal haue a writ to haue the wardſhip deliuered vnto thẽ, & then it ſhalbe tried by the witneſſes named in ẏ deede of feffemẽt with other good & free men of the countrie, by the value of the land, & the quãtitie of the ſũme payable after the tenure, whether ſuch feffemẽts were made in good faith, or by fraud to defeat ẏ Lord of his wardſhip, & if ẏ chiefe lords do by iudgement of the court recouer their wardſhip, yet the feffees ſhal haue their action reſerued to recouer their terme or fee, when the heires ſhal come to their lawfull age. And if any chiefe lords do maliciouſly implead ſuch feffees, faining this caſe, where ẏ feffemẽts were made lawfully & in good trueth, then the feffees ſhal haue their damages & coſts awarded vnto thẽ which they ſuſtayned by reaſon of the foreſaid ſuit, & alſo ẏ plaintifes ſhalbe greeuouſly amerced. Marleb. 52. H. 3. 6. S. 24. Fraudulent cõueiance to defeat the lord of wardſhip. Iectione cuſtodiæ.

3 ¶ After an heire hath bene in ward, when he is come to full age of xxj. yeres, he ſhal haue his inheritãce without reliefe & fine, ſo that if ſuch an heire being within age be made knight, yet hys land ſhal remaine in the lords cuſtody vntill the terme aforeſaide. Magna Carta. 9. H. 3. 3. After wardſhip no reliefe nor fine. A ward made knight.

Rauishment of ward.

4 ¶ If any lay man, frind or other, do with force agaynst the Quænes peace withhold, lead away, or marie any heire vnder the age of xiiij. yeres, & is thereof conuict, he shal pay to the party frō whom the said heire is takē the value of the mariage, & shalbe impriſoned vntil he hath payde the said value, if the child be maried, & also vntil he hath satisfied the M. for the treſpas, Merton. 20. H. 3 6. VVeſtm. 1. 3. Ed. 1. 22. S. VVomen. 6. 7. 8. 12.

Rauishment of ward.

5 ¶ He which doth rauish & take away any man or womā child (whoſe mariage belongeth to an other) hauing him ſelfe no right in ỹ ſame mariag, although he doth after reſtore ỹ child vnmaried, or doth make ſatisfaction for the mariage, yet shal he be two yeres impriſoned for his offence, & if he do not reſtore ỹ heire or do mary him after ỹ yeres of cōſent, & is not able to make ſatisfaction for ỹ mariage, he ſhal abiure the realme, or haue perpetual impriſōmēt, and thereuppon the playntife ſhall haue a writt of Rauiſhment of ward, and if the heire chance to die before he be reſtored or can bee found, yet the ſuit ſhal proceede betwirt them vntil it be tried who ought to haue had the mariage if he had ben lyuing, for the wrōgful rauiſhor of ſuch a warde ſhall not be excuſed or eaſed of his puniſhmēt by the death of the heire which he did wrongfully wthold during his life. And if the plaintife do die before the ſuit bee determined betwirt them, if the right did belong vnto him by reaſon of his owne proper fee, the plee ſhalbe reſummoned at the ſuit of the plaintifes heire, and ſhal paſſe in due order, but if the right did belong vnto him by reaſon of any other title, as by gift, ſale, or ſuch like, then the plee ſhalbe reſummoned at the ſuite of the plaintifes executors, and ſhall paſſe &c. In like ſort if the defendant dye before the plee be determined, or the heire reſtored, the ſuit ſhall proceede by reſummons betwirt the plaintifes heires, or executors, & the executors of the defendant, or his heires, if the executors bee not ſufficient as concerning the ſatisfaction of the value of the mariage, but not to the impriſonment (for in that ſort one man ſhall not be puniſhed for anothers offence.) In like ſort when any writ de communi cuſtodia dependeth betweene parties for the ward of an heire, of land, or of both, or any writ de Eiectione cuſtodiæ) reſummons ſhalbe made betwene the heire and executors of ỹ plaintife, and the heire or executors of the defendant, if death preuent any of the parties before the ſuit determined, in which writ of communi cuſtodia, when the ſuit is come to the great diſtreſſe, there ſhalbe a time geuen, wherein there may be holden three Counties at the leaſt, in euery of which Counties there ſhalbe open proclamation made that the deforeceour ſhal appeare in the cōmon place at the

The heire dieth

The plaintife dyeth.

The defēdant dyeth.

Eiectione cuſtodiæ.

Communi cuſtodia.

at the day cõtained in the writ to aunswere the plaintife, at which day if he do not appeare & the proclamation be so testified, the first, second & third time, iudgemẽt shalbe giuen for the plaintife, sauing the defendants right if he wil at an other time defend the same. In the same maner it shalbe done in an action of trespas, when anie man complaineth hym selfe to be eiect from suche wardships. Westm. 2. 13. Ed. 1. 35.

6 ¶ If any heire being aboue xiiij. yeares of age, and vnder xxj. do mary without the licence of his Lord to defeat him of his mariage, and the lord doth offer him a reasonable and conuenient mariage (without disparagement) then his lord shall retaine hys land aboue his age of xxj. yeres so long that he may therof receiue the double value of his mariage, according to the estimatiõ of lawful men, or according to that he hath bẽene offered before, without fraude and malice for the same mariage, & according to that it may be proued in the Quẽnes court. Merton. 20. H. 3. 6. Westminster. 1. 3. Ed. 1. 22. Foriſfactura maritagij.

7 ¶ If an heire (of what age soeuer he be) wil not mary at the Lordes appointmẽt, he shal not be thereunto compelled, but whẽ he cõmeth to his ful age, he shal satisfie his lorde of so much as he might haue receiued of an other for his mariage before he shal haue his land, & ẏ shal he do, whether he wil marie himselfe or not, for that the mariage of an heire within age is due to the Lord of the fee, Merton. 20. H. 3. 7. Valore maritagij

8 ¶ If a gardein or chiefe lord enfeoffe any man of lãd which is the inheritance of a childe wiñ age & in his ward, to the disheritance of the heire, the heire shall forthwith haue his recouery by Assise of nouel disseisin, against his gardeine, and against ẏ tenãt, and the seisin shalbe deliuered by the Iustices (if it be recouered) to the next frinde of the heire to whom it cannot discend, for to emproue to the heires vse, and to aunswere the issues to ẏ heire when he commeth to full age, and the gardein shal lose during his life ẏ wardship of the thing recouered, and al the residue of ẏ inheritãce which he holdeth in the name or right of the heire, and if any other gardein thẽ ẏ chiefe lord do it, he shal lose the custody of al ẏ thing, and shalbe greeuously punished by the Quẽne, and if an Infãt be carried away or disturbed by the gardein, or by his feoffee, or anie other, by reason whereof he cannot sue his assise, one of hys next frendes that will shalbe allowed to sue for him. Westminster. 1. 3. Edwardi 1. 47. A remedy where the gardein marieth a feffemẽt of the heires land.

9 ¶ If any heire after the death of his aũcestor be within age, and his lord hath the wardship of his landes, if his Lorde will not A remedy for the heire of full age to receiue his land from his lord.

deliuer him his lands when he commeth to full age without suit in lawe, the heire shall recouer his lande by Assise of Mortdaunceſter with the damages that he hath sustained by the withholding thereof since the time he was of ful age, & if an heire at the time of the auncestors death be of ful age, and is heire apparant, & knowen for heire, and found in the inheritance, the chiefe lord shal not put him out, nor take nor remoue any thing there, but onely shal take simple seisin for confession of his seigniory, that he may be knowen to be lord, & if the chiefe lord do maliciously holde such an heire out of possession, whereby he is driuen to purchase an Assise of Mortdaũceſtour, or writ of Colinage, then he shal recouer his damages as in assise of Nouel disseisin, Marleb. 52. H. 3. 16.

The heire of ful age at the death of his aũceſtor shal onely pay reliefe.

The gardeine shal make no waste of the heires lands.

10 ¶ The Gardein of an heire within age shal take of ỹ heirs lands but reasonable issues, customes, & seruices, without distruction & wast of his men, & other commodities, & so long as hée hath the wardship of ỹ same heire, he shal maintaine his houses, parks, stanges, poles, milles, and al other things belonging to the same lands, with the profits of the same, & shal deliuer to the heire when he cõmeth to full age, his ground stored with ploughs and al other things (at the least as he receiued it) Magna carta 9. H. 3. 5. And if a gardeine do cõmit wast, he shall lose the wardship, & the losse of the wardship vntil the ful age of the heire be not sufficient, to recompẽce the damages of the wast, he shal also aunswere to ỹ heire damages, Gloceſter. 6. Ed. 1. 5.

Gardeine in socage.

11 ¶ The gardeins of an heire within age which holdeth his lãd in socage shall cõmit no wast, distructiõ, or sale in the same inheritance, but shal safely kéepe it to the vse of the heire, so ỹ when he cõmeth to his ful age, they shal make him accompt, & aũswere him of the issues of the same lande, sauing to them their reasonable charges, Neyther may the same gardeins geue or sel the wardship of the same heire, but onely to his profit. Marleb. 52. H. 3. 17.

At what age an heire femal shal be out of ward.

12 ¶ If the lord of an heire female to whom the mariage belongeth wil not mary her after she hath accomplished ỹ age of 14. yeres, but for couetous lucre of the land wil kepe her vnmaried, he shal not haue nor kéepe by reason of mariage the land of such heire femall more then two yeres after the said terme of xiiij. yeares, & if the lord within the said two yeres do not mary her, thẽ she shal haue an action to recouer her inheritance wõt geuing any thing for her wardship or mariage, Weſt. 1. 3. Ed. 1. 22. But the lawe of the realme is, that if a woman be of the age of xiiij. yeres at the time of the death of her auncestour, she shal haue liuery of her lãds discended vnto her. 39. H. 6. 2.

13 ¶ If

13 ¶If an heire female of malice, or by euill councel will not be maried by her chiefe Lord where she shal not be disparaged, thē her Lord may retaine her lande & enheritance vntill shee hath accomplished the age of xxi. yeares and aboue, vntil he hath receiued the value of her mariage. West. 1. 3. Ed. 1. 22.

The heire female refusing mariage the lord shalbe satisfied with the land.

14 ¶If one inheritance discend to any Infant within age, of ẏ fathers side, which held of one Lord, & an other of ẏ Mothers side that held of an other lord, that lord shall haue the mariage of whō ẏ childes auncestour was first enfeffed, without hauing respect to ẏ sere or quantitie of the land, but onely to ẏ more auncient feoffement by knights seruice. West. 1. 3. Ed. 1. 16. 28. Ed. 1.

Prioritie of feffemēt geueth title of wardshippe.

15 ¶If any Lords do mary those which they haue in warde, being within the age of xiiij. yeres (so that they cannot consent to mariage) to villens or other such kind of Borough mē where they are disperaged, then if the wards frends do complaine thereof, the Lord shal lose the wardship vntill the full age of ẏ heire, & the profit that shalbe thereof taken, shalbe conuerted to the vse of the heire which is within age, according to the disposition of his frends, for ẏ shame which is done vnto him, but if he be of ẏ age of xiiij. yeres & aboue, so that he may & doe cōsent to such mariage, no paine shal follow. Merton. 20. H. 3. 6.

Disperagment of the heire.

16 ¶If any land or inheritance holden in Socage discēd to an heire of hys mothers side, then the wardship of the same heire, belongeth to the next friend of the Fathers side, & econuerso. Anno 28. Ed. 1.

Who shalbe garden in Socage.

17 ¶The Quéene shal haue ẏ wardship of al their lāds which hold of her in chiefe by knights seruice, whereof ẏ tenāts were seised in their demesne as of fée ẏ day of their death, of whom soeuer they hold by like seruice, so that they held of aunciēt time any lāds of the Quéene as of her Crowne, vntil the heire cōe vnto his lawfull age (except the fées of the Bishops of Canterbury & Durhā betwene Tine & Tées, & of Erles & Barons of the marches &c. Prerogatiua Regis. 17. Ed. 2. 1. And therefore because the Quéene shal haue as well those lands which be holdē of others as which be holden of her selfe, whereof her tenant dyed seised during ẏ minoritie of ẏ heire, & vntil he hath sued liuery, such mesne lords during such minoritie, shal receiue ẏ rents due to thē for ẏ same lāds holden of them by the hands of such of the Quéenes officers as he appointed to receiue and take ẏ profits & reuenues of the same lāds so holden of such meane lords, during the minoritie of such heire, & vntill he sue his liuerie. And such heire vntill he shal or conuenitly might haue sued his liuerie, shalbe thereof discharged, and such officer

Wardshippe of thē which hold by knights seruice in chiefe of the Queene.

How the mean lords shalbe answered there chiefe rent during the heires minoritie.

ficer shall vppon request made, pay the same to such meane lords they giuing to him a sufficient acquitance, & such payment & acquitance shewed shalbe to the same officer a sufficient discharge vpō his accompt. 2. Ed. 6. 8. S. Prærogatiue. 1.

Tenure by fee farme or socage draweth no wardship of other lands.

18 ¶ But if any doe hold of the K. by fee farme, or socage, or Burgage, & he holdeth lāds of an other by knights seruice, the K. shal not haue ẏ custody of his heire, nor of his land which is holdē of an other mans fee by reasō of ẏ fee farme, socage, or Burgage, neyther shal she haue ẏ custody of such fee farme, socage, or Burgage, except knights seruice be due vnto her out of ẏ said fee farme neither shal she haue ẏ custody of the heire, or of any land holdē of an other by knights seruice, by occasion of any petie Seriantie ẏ any mā holdeth of her, to pay a knife, an arrow, or other like thing Mag. Chart. 27.

Petie seriantie

Mariage.

19 ¶ The Quéene shal haue the mariage of an heire beig vnder age & in her custodie, whether ẏ land of such heire hath of Auncīēt time bene holden of ẏ Crowne, or that it came by reasō of Eschete being in ẏ Quéenes hands, or ẏ she hath ẏ mariage by reasō of ẏ ward of ẏ lord of such heire, wout respect of prioritie of feffemēt although ẏ heire hold of others, Prerog. Regis. 17. Ed. 2. 2.

The Queenes womā tenant maried in the life of her auncestor.

20 ¶ If a woman before ẏ death of her Auncestor which held of ẏ Quéene in chiefe be maried, before she be mariageable, then ẏ Quéene shal haue ẏ wardship of ẏ same woman, vntill she be of ẏ age able to cōsēt, & thē she may chose whether she will haue him to whom she was first maried or him ẏ the Quéene will offer her. Prærog. Regis. 5, 17. Ed. 2. 5.

Wast in wards lāds by the Q. committed.

21 ¶ If the Quéene do commit the wardship of ẏ land of any heire in her custody to the sherife, or any other to answere to her grace ẏ profits of ẏ same lands, & he doe make wast or distruction in ẏ wardship, he shal make amends to the K. & the lands shalbe cōmitted to ii. lawfull & discrete men of ẏ same fee, which shal aūswere the Quéene, or him which she will assigne, ẏ profits of the same lands. Mag. Chart. 4.

Wast in wards lands by the Queenes graūt

22 ¶ If the Quéene doe géeue or sell to any man ẏ wardship of any such land, & he doth make wast or distruction therein, he shall lose ẏ wardship, & it shalbe deliuered to two lawful & discrete men of the same fee, which shal aūswere ẏ Quéene the profits &c. Mag. Chart. 9. H. 3. 4.

An eschetor shal haue no fee nor cōmit wast in wards lands

23 ¶ An Eschetor shal haue no fee of wood, Venison, fish, nor other thinges, but shal aūswere to the Quéene the issues & profits yerely cōming of wards lāds, without doing wast or destructyon And if any Eschetor or subeschetor doe cōmit wast in any wards lands

lands, as in houses, woods, parks, warrens, or other things ỹ fall into ỹ Quéenes hands, he ỹ hath receiued the lotte shal haue an actiõ of wast out of ỹ Chaũcery against ỹ Eschetor for his act, & the subeschetor for his act (if he haue wherof) & if he haue not, his master shalbe aunswerable for the damages. And if the Eschetor be attainted of wast, he shalbe punished at the Quéenes pleasure, & yeld to ỹ heire treble damages at ỹ heirs owne suit, aswell within age, as of ful age, & his frends as long as he is within age shal haue the suit for him aunswering to ỹ heire ỹ which shalbe recouered. Articuli super char. 34. Ed. 1. 18. 36. Ed. 3. 13.

Fraudulent cõueiãce to defeat the Queene or other lords of their wardship &c.

24 ¶ If any person hauing estate of inheritãce, of, or in manors, lãds, tenemẽts, or hereditaments, holden of ỹ Quéene by knights seruice in chiefe, or otherwise of ỹ Quéne by knights seruice, or of any other person or persons by knights seruice, hath géeuen at any time sithence ỹ xx. day of July. 32. H. 8. An. Do. 1540. or hereafter shal géeue, wil, deuise, or assigne by wil, or other act executed in his life, his manors, lãds, tenemẽts, or hereditamẽts, or any of thẽ by fraud or couin, to any other person or persons, for terme of yeres, life or liues, with one remainder ouer in fée, or with diuers remainders ouer for terme of yeres, life, or in taile, with remainder ouer in fée simple to any person or persõs, or to his or their right heirs Or at any time sithẽ ỹ said xx. day of July hath cõucied or hereafter shal cõuey or make by couin, (cõtrary to ỹ true intẽt of ỹ Act prouided 34. H. 8. for ỹ making of willes) any estats, cõdiciõs, menalties, tenures, or cõueiances, to ỹ intẽt to defraud or disceiue the Q. of her Prerogatiue, primer seisõ, liuerie, reliefe, wardships mariages, or rights, or any other lords of their wardships, relifs, heriots, or other profits which should or ought to accrue, grow or cõe vnto thẽ or any of thẽ, by or after ỹ death of his or their tenant, by force, & according to ỹ statuts made. 32. H. 8. 1. & 34. H. 8. 5. And ỹ same estats & other cõueiances being found by office to be so made by couin, fraud, or disceit, cõtrary to ỹ true intẽt of ỹ said act: Thẽ ỹ Quéene shal haue aswel ỹ wardship of the body, & custody of the lãds &c. as liuery, primer seisõ, relife, & other profits which should or ought to appertaine to her, accordig to ỹ true meaning of ỹ said acts, as though no such estats or cõueyãces by coun had neuer ben had or made, vntil ỹ said office be lawfully vndõe by trauers or otherwise, And ỹ other lord & lords of whõ any such lãds &c. shalbe holdẽ by knights seruice, as is aforesaid, shal haue their remedy in such cases, for his or their wardships of bodies & landes, by writ of right of ward, & shal distrain, & make auowry or cognisãce by them selues, or their bailifs for their reliefs, heriots, & other pfits, which

should

The donees title saued after the Lords interest determined

should haue bene to them due, by or after the death of their tenant as if no such estate or conueiance had bene had or made. Sauing ỳ right & title of the Donées, feoffées, lessées, and deuisées thereof against the said deuisor & his heires, after ỳ interest & title of the Q. or other lord therein ended. 34. H. 8. 5.

Wardship by reason of a remainder only.

25 ¶ If two or moe doe hold any lands, tenements, or hereditaments of the Quéene by knights seruice iointly to them, and the heires of one of them, & he ỳ hath ỳ inheritance thereof dyeth, his heire being within age, ỳ Quéene shal haue ỳ ward & mariage of ỳ body of such heire, ỳ like of the freeholder or freeholders of the said lands &c. notwithstanding. 32. H. 8. 1.

All the Queens wards & their lands in the order of the court of wardes.

26 ¶ All wards which the Quéene is intituled to haue wt their manors, lands, tenements, rents, remainders, Reuersions seruices, & al other hereditaments, aswell in possession as reuersion, & al reuenues issues & profits of the same, for the time ỳ same be, or ought to be in the Quéens possessiõ, shalbe in ỳ order, suruey, & gouernance of ỳ Quéenes court of wards & liueries, & ỳ ministers of the same. 32. H. 8. 46.

The authority of the head officers of the court of wards & liueries.

Graũt of wards

27 ¶ The Master, Atturney, Receiuor general, & Auditors of the Court of wardes & liueries, or three of them, whereof ỳ Master shalbe one, haue authoritie to make sale & graunt of ỳ Queens wards and euery of them, & of part of their lands during their minority, ỳ same sale & graunt to passe by the Quéenes bil assigned, And also the said Master with ỳ aduise of ỳ said Atturney and Receiuor, or one of them, (haue authoritie without the Quéenes byll assigned, to make woodsales to the Quéenes vse of al underwoodes, vpon any of the Quéenes wards lands, being lawfully in the Quéenes possessiõ. And to take and appoint Timber for the necessary reparations of al the Castels, Manors, lands, tenemẽts & parkes of the said wards. And in the Queens name to make leases during the minoritie of the said wards, of al Lordshippes, manors, lands, & tenements remaining in the Quéenes handes, belonging to the said wards, yelding to ỳ Quéene such rẽts, as shalbe thought conuenient by the discretion & suruey of ỳ said Master, Atturney, Receiuor, & Auditors, or three of them, whereof ỳ Master to be one, And also ỳ said Master by the aduise of the saied Atturney, Receiuor, & Auditors, or three of them, hath authoritie to suruey al the Quéenes wydowes, and to treat, common, and cõclude with al and euery of them that haue maried them selues wout the Quéenes licence, for their reasonable fines to be made to the Quéenes vse, and to take and assesse the same by their discretion, according to the Statute of Prerogatiua Regis. And also to

Woodsales.

Reparations. Leases.

The Queenes widowes.

suruey,

ſuruey, gouerne, and order, al and ſinguler Idcots, & natural fooles which be in the Quéenes hands, & al the manors, lands, and hereditaments &c. being in the Quéenes hands, or in the hands of any other perſons to their vſes, that do come or be in her graces hãds, in the right of any of them, by reaſon of her Prerogatiue royall. And by the ſaid aduiſe &c. thrée or two of them to let and ſet the manors, lands, and tenements to the Quéenes vſe for the tyme of the Quéenes intereſt, for ſuch rent and fine, as by their diſcretiõs ſhalbe thought conuenient, the finding and keepinge of the ſaid perſons, their wiues, & children, and the reparations of their houſes & lands, alwaies to be conſidered. And the ſaid maſter with ỳ aduiſe of the ſaid Atturney, Receiuor, or one of them, hath authoritie to call at all times before them, into the office of the wardes &c. by the proces of the ſame Court, euery perſon which is or hath bene the Quéenes ward, intruding or enteringe into, or vpon hys lands, or vpon any part thereof, after his full age of xxj. yeres, and before he hath ſued & obtained his liuerie, or Ouſter le maine, for ỳ ſame out of ỳ Quéens hands vnder her great ſeale, aſwel to make aunſwere for his intruſion vpon the Quéens poſſeſſiõ, as to make payment to the Quéenes Receiuor generall of the ſame Court, of al ſuch rents, iſſues, & profits by him takẽ at any time after his ful age of xxj. yeres, & before liuery ſued for ỳ ſame out of ỳ Quéenes hands. And the ſaid Maſter in al places, & the ſaid Atturney, Receiuor general, & Auditors, or two of them in ỳ ſaid Court (ỳ Maſter being abſent) haue authoritie to take obligations to ỳ Q. vſe of euery particular Receiuor, which ſhalbee aſſigned for the ſayed court & of his ſuerties for ſure paymẽt of his receipts, & to take obligations to the Quéenes vſe, aſwell of euery fermor, bailife, réeus or other accõptants for the true payment of their receipts, & of euery perſõ which is indebted to the Quéene for any arrerages of his receipts, farmes, or charges as of any other perſon, for any other cauſe or matter concerning the premiſſes determinable wtin ỳ ſaid Court. And al ſuch obligatiõs & writings obligatorie of what ſũme ſoeuer they be, be of the ſame ſtrength, qualitie, & effect, to al intẽts as writings obligatorie, made by any lay perſon by authoritie of the ſtatute ſtaple bene or ought to be. And vpon certificat made in the Chauncery of any ſuch writings obligatorie, taken for ſuche payments, like proces & executions ſhalbe thereupon had & made againſt any perſon ſpirituall and temporall, as hath bene accuſtomed to be made againſt any lay perſõ vpon certificat of writings obligatorie of the ſaid ſtatut of ỳ ſtaple. And the maſter Atturney and Receiuor generall, or two of them haue authoritie to ſet ſuch fine,

Idcots.

Intruſion.

Bondes of accomptants.

5.33.H.8.39. that the ſame ſhalbe in the ſame court vnder the ſeale of the ſame court wards &c.

Aſſeſſing of fins

Appointment of officers.

Recognisance of apparance.

Moderating of recognisances forfaited.

Committing to prison.

Canceling of bonds.

fine, as by their diſcretion ſhal ſeeme good, vpon any perſon called by the Quenes proces of the ſame court to appeare at weſtminſter in the ſame court within the terme, at a certaine day to him prefixed to appeare, & hath day geeuen in Court to make aunſwere to the matters obiected againſt him in ỹ ſame Court in ỹ Quenes behalfe, which doth depart the Court before aunſwere made, and Atturney put into the Court with aſſent of the Court, for proſecuting the mater with effect, which fine ſhalbe leuied of his lands tenements, goods, & cattels, to the Quenes vſe. And alſo the ſaid Maſter hath auctoritie to make & appoint al and ſinguler particuler Receiuors, Feodaries, & Surueiors, in euery ſhere, & alſo fees for executing the ſame vnder the ſeale of the ſame office, in ſuch wiſe as the ſame Officers may be alwaies remouable at the diſcretion of ỹ ſaid Court. And alſo to make allowance of the coſtes of al commiſſioners, particuler Receiuors, Surueiors, Auditors, Councellors, and feodaries, & euery of them, by his bill aſſigned, which bill is a ſufficient warrant to the Auditors of the ſame court to make allowance of the ſame. And the ſaid maſter hath auctoritie to take Recognisances of al perſons that be called into ỹ ſaid Court to aunſwere to any matter alledged againſt them in ỹ ſaid Court to make their dayly apparance in ỹ ſaid Court, to aunſwere to ſuch matter, as to them then and there from time to time ſhalbe alledged. And al ſuch recognisances of what ſumme ſoeuer they be, be as good & effectuall in the lawe to al intents, as recognisances taken in the Chauncery or els where, before any Iudge of record within this Realme. And the ſaid maſter with the aduiſe of ỹ court, or of ſuch number of the ſame, as then be preſent, ſo ỹ they be two beſide the ſaid maſter, haue full power to moderat ſuch recognisances, as be there forfaited, & to ſet fines for the ſame to the Quenes vſe vnder the ſummes contained in the ſaid recognisances, the ſame fines to be leuied by proces of Scire facias &c. And ỹ ſaid maſter with the aduiſe before ſaid hath auctoritie to cõmyt to ward any perſon or perſons for his or their diſobedience, contẽpt or other offence to be made, triable within the ſaid Court, & vpon the ſaid matters ordered, there to deliuer them from priſon, and to cancel and make voide al recognisances & obligations taken in the ſame Court to the Quenes vſe, when the ſaid maſter with the aduiſe of the ſaied Court or three of them, ſhal ſee the matters for the which any ſuch recognisance or obligation was taken to be finiſhed, and the Quene or the partie thereuppon ſatiſfied wythout any other warrant for the ſame. 32. H. 8. 46. 33. H. 8. 22. 33. H. 8. 39.

28 ¶The maister and officers of the Court of wards and liueries, shal take for the fées of al proces at the suit of the parties vnder the priue seale of the same Court iii.s.vj.d. And for the fées of all Commissions directed out at the suit of the parties ii. s. vi.d. And for recording of al apparances foure pence and no more. An. 32. H.8.46. The fees for proces & recording apparance

1 Within vvhat time a patent of vvardship shalbe sued forth after the graunting thereof. S. Patents. 12.

2 VVhat those officers of the Court of vvards shal forf. vvhich doe vvithdravve or conceale any of the Queenes rents or profits. S. Offices. 7.

¶VVarrantie.

IN déedes where it is contained Dedi et concessi tale tenementum, by. I haue geuen and graunted such a tenement, without homage or any clause that containeth warrantie, & to hold of ẏ donours & their heirs by a certaine seruice, the donours & their heires shalbe bound to warrantie. And where it is contained Dedi et cõcessi &c. to hold of the chiefe Lords of the fée, or of any other then of the feoffors or their heirs, reseruing no seruice to him selfe, without homage, or without the foresaid clause of warrantie, his heirs shal not be bound to warrantie, but the feoffor by reason of his gift shalbe bound to warrantie during his owne life. Statut de Bigamis 4. Ed 1.6.

1 Where the Queene shalbe bound to vvarrantie. S. Ayde of the Queene. 1.

2 VVhere a vvomans suit or her heirs shall not be differred by the minoritie of the heire vvhich should vvarrant the landes. See vvomen. 12.

¶VVast.

FErmors during their termes shal not make wast, sale, or exile of houses, woods, & mẽ, nor of any thing belõging to ẏ tenemẽts which they haue in ferme wõut they haue spectall graunt by writing, making mention of ẏ couenãt that they may doe it. Marleb. 52. H. 3. 24. No termor shal make wast without warrant.

2 ¶A man shal haue an action of wast in ẏ Chaũcery against him which is tenant by the curtesie of England, or otherwise, tenant for terme of life, or for terme of yeres, or against a woman which holdeth in dower, & he which shalbe attainted of wast, shal lose ẏ thing wasted, & besides shal pay treble so much as the wast shalbe tared. Glouceſt. 6. Ed. 1. 5. An action of wast against tenant by the curtesie, for life or yeres.

3 ¶Of

Proces in an action of waſt.

3 ¶ Of euery maner of waſt committed in any mans inheritance by gardeins, tenants in dower, by the curteſie, or other wyſe for terme of life, or for termes of yeres to ẏ dãmage of an other, a writ of Summons ſhalbe awarded, & if after the ſummons he againſt whom the writ is brought appeare not, he ſhalbe attached, & after the attachment he ſhalbe diſtrained, & if he appeare not after the diſtres, the ſherife ſhalbe commaunded, that in his owne proper perſon taking with him xii. &c. he ſhal goe vnto ẏ place waſted & enquire of the waſt committed, & returne the inquiſition, & after ẏ inquiſition is returned, iudgement ſhalbe geuen, as is contained in the ſtat. of Gloceſt. Weſt. 2. 13. Ed. 1. 14. S. 2.

A writ to enquire of waſt.

Tenant for life or yeres, graunteth ouer his eſtate, taketh the profits, & committeth waſt.

4 ¶ If any perſons do let their lãds to any others for terme of life, for terme of an other mans life, or for terme of yeres, & the tenants do graunt their eſtate which they haue in the ſame, to any other perſons to the intent that they in ẏ reuerſion ſhould not knowe their names, & after the firſt tenants doe continually occupie the ſaid lands, & take thereof the profits to their owne vſe, & in the ſaid lands commit waſt to the diſheritance of them in the reuerſion, in ſuch caſe they in the reuerſion may haue & maintayne an action of waſt againſt the ſaid tenants, & ſo recouer againſt thẽ the place waſted, and their treble damages for the waſt commytted, as they ought to haue done for ẏ waſt by them done before the ſaid graunt. But this ordinance holdeth not place, but where the firſt tenaunts were puniſhable of waſt before ẏ graunting of their eſtate, & alſo where after the ſaid graunt they take ẏ profits of ẏ ſame landes to their owne vſe, at the time of the waſt committed. 11. H. 6. 5.

Waſt eõmitted by a tenant in common.

5 ¶ Whereas two or more do hold any wood, turbary, fiſhing, or other ſuch things in common, wherein none knoweth his own ſeuerall, and one of them doth commit waſt againſt the will of the other, an accion of waſt may lie, & whẽ it is come vnto Iudgemẽt the defendant ſhal chooſe either to take his part in a place certaine by aſſignement of the ſherife, & by the view and othe of his neighbors ſworne and tried for the ſame intent, or els he ſhal graunt to take nothing from thẽceforth in the ſame wood, turbarie, and ſuch other, but as his partners will take, and if he doe chooſe to take his part in a place certaine, ẏ place waſted ſhalbe aſſigned for his part accordinge as it was before he committed the waſt. Weſtm. 2. 13. Ed. 1. 22.

1 The remedy vvhere vvaſt is committed in any vvardes lãds S. Wardes. 10. 11. 21. 22. 23.

From

From the feaſt of Aſcention vntill Michelmas in euery Citie, vj. men ſhall watch at euery gate, in euery boꝛough vij. men, in euery Towne vi. oꝛ iiij. according to the number of the inhabitants of the Towne, & ſhall watch the towne al night, from the ſunne ſetting to ẏ ſunne riſing, & if any ſtranger doe paſſe by them he ſhalbe arreſted vntil Mooꝛning, & if no ſuſpicion be found he ſhal goe quite, & if they find cauſe of ſuſpition, they ſhal foꝛthwith deliuer him to the ſhiriffe, & the ſhiriffe ſhal receiue him without hurt, vntill he be acquited in due maner, & if he will not obey the arreſt, they ſhal leuy huy & crie vpon him, & ſuch as kepe the towne ſhall follow with huy and crye with al the towne, & the townes neare, and ſo from Towne to Towne, vntill he be taken & deliuered to the ſhiriffe, as beꝛoze is ſaid, & foꝛ the arreſtments of ſuch ſtrãgers none ſhalbe puniſhed. Wincheſter, 13. Ed. 1. *When the night watch ſhall begin & end. Arreſting of night walkers.*

2 ¶ In great Townes walled, the gates ſhalbe ſhut from the ſunne ſetting vntill the ſunne riſing, & no man ſhall lodge in ẏ ſuburbes oꝛ any place out of the Towne from ix. of the clocke vntill day, except his hoſt wil anſwere foꝛ him, & the bailifes of townes euery weeke, oꝛ at the leaſt euerie xv. day ſhal make inquirie of all perſons being lodged in the ſuburbes, oꝛ in foꝛreine places of the Townes, & if they find any that hath receiued any ſuſpicious perſons not keping the Quéenes peace, the Bailifs ſhal execute right & Juſtice therin. Wincheſt. 13. Ed. 1. And Juſtices of peace haue poꝛwer to make Inquiſition in their Seſſions from time to time, & to puniſh them which be found in default after the tenour of the foꝛeſaid ſtatut of Wincheſt. 5. H. 4. 3. *Warding of walled townes.*

¶ VVaightes & Meaſures.

One waight, one Meaſure, and one yarde, ſhalbe thoꝛough out the whole Realme, aſwel without ẏ ſtaple as within, Magna Chart' 26. 14. Ed. 3. 12. 27. Ed. 3. 10. *One waight, & meaſure thorough the realme.*

2 ¶ By the conſent of the whole Realme of England ẏ meaſure was made, that an Engliſh peny called a ſterling, round, and woꝛt clipping ſhall waigh xxxij. coꝛnes of wheat in the middeſt of ẏ eare, & xx. d. ſhal make an ounce, xij. ounces of Troy woight ſhal make a pound, & viij. pound of Troy weight ſhall make a gallon, viij. gallons ſhall make a buſhell, which is the viij. part of a quarter, Compoſitio menſurarum. 51. Ed. 1. 12. H. 7. 5. *A Buſhell.*

3 ¶ There be but onely viij. Buſhels raſed & ſtriken to ẏ quarter of Coꝛne, & xiiij. li. to ẏ ſtone of woll, & xxvi. ſtone to the ſacke. 11. H. 7. 4. 1. H. 5. 10. 15. K. 2. 4. 34. Ed. 3. 6. And whoſoeuer doth buy oꝛ ſell woolles at moꝛe waight then at xiiij. li. the ſtone, *A quarter of coꝛne, a ſtone, & ſacke of wool.*

shall pay double to the partie greeued, & make fine to the Queene, according to the quantitie of the Trespas. 13. H. 2. 9.

An acre of ground.

4 ¶ Three graines of Barley dry and rounde doe make an ynche, iiij. ynches doe make a foote, iij. foote doe make a yarde, b. yardes and a halfe doe make a perch, and xl. perches in length and iiij. in bredth doe make an Acre. Compositio vlnarum & pertiarum.

The ordinance of measuring of land.

The breadth	The length of the acre.	
Perche	Perche	Feete
10	16	0
11	14	9
12	13	5 1/2
13	12	5 1/13
14	11	7 1/14
15	10	11
16	10	0
17	9	6 27/34
18	8	14 2/3
19	8	6 18/19
20	8	0
21	7	10 3/14
22	7	4 1/2
23	6	15 18/23
24	6	11
25	6	6 2/5
26	6	2 7/13
27	5	15 5/18

The breadth	The length of the acre.	
Perche	Perche	Feete.
28	5	11 11/14
29	5	8 31/58
30	5	5 1/2
31	5	2 41/62
32	5	0
33	4	14
34	4	11 11/17
35	4	9 1/7
36	4	7 1/2
37	4	5 13/37
38	4	3 9/19
39	4	0
40	4	0
41	3	14 73/82
42	3	13 15/42
43	3	11 77/86
44	3	10 9/22
45	3	9 1/6

A waye of Cheese.

6 ¶ The waight of a waye of Cheese must containe xxiij. cloues, that is to say, euery clowe viij. pound by the waights touching 9. H. 6. 8.

Quere.

Quere if a clowe be vij. li. or viij. pound.

Anno

7 ¶ Anno 11.H.7.4.& 12.H.7.5. It was enacted, that there should be carried into euery Citie, Boroughe, and market Towne hereafter named, one of euery waight and measure, which the said king H.7. caused to be made of Brasse, according to the standard of his Exchequer, there to remaine for euer in the keepinge of the heade Officer of the same Citie, Boroughe, or Towne, as the kinges Standard of waight and measure, and that the Inhabitants of all Cities, Boroughes, and Market Townes wythin euerie of the sayde Shires, should make, or cause to be made, to remayne with them, common Measures and waightes, according to the same waights and measures, and that the same measures and waights should be viewed, examined, printed, signed, & marked by the head Officer, in whose possession the said Standard should remaine.

Westmerl.	Towne of Appulby	Surrey	Towne of Gill.	The names of the Townes limitted for ꝑ keping of waights & measures.
Northumb.	T. of Newcastell	Suſſex	T. of Lewes	
Cumberl.	Citie of Carleol	Dron.	C. of Drford.	
Lanc.	T. of Lancaster	Berk.	T. of Reding.	
Ebor.	Citie of Yorke	Hereford	T. of Hereford.	
Lincoln.	Citie of Lincolne	Salop.	T. of Shrewesb.	
Derb.	T. of Derby	Staff.	T. of Staffford.	
Notingh.	T. of Nottingham	Glouc.	C. of Glocester.	
Leycest.	T. of Leicester	Wigorn.	C. of Worcester	
Warr.	C. of Couentrie	Wiltes.	C. of new Salisbury.	
Rotyl.	T. of Uppingham			
North.	T. of Northampton	South.	C. of Winchest.	
Bed.	T. of Bedford	Som.	T. of Ilchester.	
Buck.	T. of Buckingham	Dorſ.	T. of Dorchest.	
Canteb.	T. of Cambridge	Deuon.	C. of Excester.	
Hunt.	T. of Huntington	Cornub.	T. of Lestuthiel	
Norff.	C. of Norwiche	London	C. of London.	
Suff.	T. of S. Edmondes bury.	Bristowe	C. of Bristowe.	
		Quinq; port.	Castel of Doner	
Esser.	T. of Chelmesford	Couentry	C. of Couentry.	
Hertf.	T. of Hertford	South.	T. of Southampton.	
Midd.	C. of Westminster			
Kent.	T. of Maidstone	Chester.	C. of Chester.	

8 ¶ Euery head Officer hauing the said waightes and measures signed & printed vnder the signe and print for the same hath authoritie to make, signe, & print like weights & measures vnto euery the Quenes subiects duely requiring the same, taking for marking or sealing of euery bushel i.d. of euery other measure ob. of euery

Head officers may signe waights & measures to euery man that will.

of euery C. waight i.ȣ. of euery halfe C. ob. & of euerie waight vn-
der q. & not aboue, vpon payne to forf. for euerie time ẏ he refuseth
or doth the contrarie xl.s. to the Queene & J. that will sue by A. of
debt, wherein no Wl. &c. 11. H.7.4. 12. H.7.5.

None shall buy or sell but wyth waights & measured ꝛigned and ꝓinted.

9 ¶No merchant, or other person within any citie, or market
towne, shal buy or sel w̄ any waight or measure, except it be mar-
ked, signed, or ꝓinted in forme aforesaid, nor any other person out
of the said cities, boroughes, & market townes, except it be like &
equall with the said standerd. And euery person as wel without ci-
ties, boroughes, & market townes as within, shal buy & sell with a
bushell sealed, signed, or marked after the forme aforesaid, & none
other wise: But this act shal not extēd to any person selling or buy-
ing by water measure w̄in ẏ ship borde, but ẏ same shal onely cō-
taine v. Pecks after ẏ said standerd rased & striken, neyther shall
this act extend to any waights appertayning to ẏ cunage of tinne
w̄in the coūties of Cornewall & Deuonshire, but all such waights
shalbe vsed & corrected as hath bene vsed. 11. H.7.4. 15. H.7.5.

Water measure

Waightes for cunage of tinne

Viewing & examinig waights & measures.

10 ¶All the Maiors, Bailifes, & other head officers of euerie
citie, borough, or market Towne, shall cause twice in the yere or
oftener, as they shal thinke necessarie, al waights & measures w̄-
in the said cities &c. to be brought before thē, & to be duelȳ viewed &
examined, & such as they shall find defective immediatly to be bro-
ken & burnt, & the offēdor shal forf. for the first time vi.s. viii.ȣ. to
the said Maior, bailife, or any other hauing iurisdiction & correction
in ẏ behalfe, & at ẏ second time xiii.s. iiij.ȣ. And at ẏ third time xx.
s. & for further punishment, shalbe set vpon the Pillory to the ex-
ample of other. But the examination of defaults aboue said & pu-
nishment to ẏ offendors of euery offence cōmitted within any of
the fiue Ports shalbe done by ẏ Lord warden of the said v. ports,
or by his lieutenant & none other. 7. H.7.3. 11. H.7.4. 12. H.7.5.
S. Iustice of peace. 92.

Euerie city, borough & market towne shal haue a cōmon balläce & waights.

11 ¶Euerie citie vpon paine of x.li. euery borough vpon paine
of C.s. And euery towne where a Constable is vpon paine of xl.s
to be leuied to ẏ vse of ẏ Queene, so often as they shalbe found de-
fective, shal haue a cōmon balläce w̄ weights, according to ẏ stan-
derd of the Elchequer. 8. H.6.5. But these penalties shall not ex-
tend to any towne which is no Citie, borough, or market towne.
11. H.7.4. By the foresaid statut of 8. H.6. the Burgesses of the
Borough of Dorcester shall not be disturbed of their right to vse
their weighing by xij. miles about the same Borroughe, vsing al-
wayes such common waights as be according to the standerd of
the Elchequer. 9. H.6.6.

12 ¶At

12 ¶At the common ballance, & cõmon waights sealed of euery city, borough, & towne, al ỹ inhabitants of ỹ same city, borough &c. may freely waighe wout any thing paying, taking neuertheles of forein, for euerie draught win the waight of xl.li.q., & for euerie draught betwirt xl. & C.li.ob. & for euerie draught betwirt C.li. & a M.li.i.d. at the most, whereof the waights shalbe maintained, & ỹ officer rewarded by the discretion of the chiefe of the citie, borough &c. according to his attendance. 8.H.6.5. Euery one may weigh at the cõmon ballance & weight.

13 ¶Justices of peace, shirifes, eschetors, & other cõmissioners assigned by the Quéene, haue power by cõmission to enquire of all falsifiers & counterfaiters of false waights, & to take & imprison thẽ & in prison to hold thẽ wout mainprise, vntil they be acquite or attainted, & if they be attainted their bodies shall remaine in prison vntil they haue made fine & raunsome according to ỹ Justices discretion. 9.H.5.8. S. Iustice of peace. 92. Counterfaiters of weights.

14 ¶Welles, & al maner of Auer de poys shalbe waighed by the ballance which is equal, & by lawful waights sealed, according to the Standerd of ỹ Eschequer, so ỹ the tonge of the ballance shal be equal, wout bowing to the one side, or to the other, or without putting hand or foote, or other touching thereof, & he which doth ỹ contrarie, to ỹ damage of the seller, shal forf. to ỹ Q. the value of the goods so weighed, shalbe ij. yeres imprisoned, & make fine at ỹ Quéens pleasure, & the plaintife shal haue his quadruple damages, 25.Ed.3.9. 27.Ed.3.10. 13.R.2.9. 8.H.6.5. Weighing by equal ballance.

15 ¶By the Statuts intituled, Assisa panis & seruitię, Statutum panis & seruitię, Iudicium Colliſtrigij, Statutum de pistoribus, Braceatoribus, & alijs vitellarijs made 51.H.3. & 51.Ed.1. there were seueral ordinances prouided for ỹ prices of bread & ale, according to the price of corne, vz. when a quarter of Barley was sold for ij.s. that then Brewers should sell iiij gallons of Ale for i.d. whẽ Barley was sold for ii.s. vj.d. the quarter, then vij. gallons for ij.d. when Barley was sold for iij.s. the quarter, then iij. gallons for i.d. when for iii.s. vi.d. the quarter, then v. gallons for ij.d. & when for iiij.s. the quarter, then ij. gallons for i.d. & so should rise & fal, as ỹ price of corne did rise & fall by vj.d. in the quarter. And there be also seueral waights assessed of ỹ wastel bread, the Cymnell, the Cocket breade, & houshold bread, according to the price of wheat rising or falling betwirt rij.d. & ij.s. the quarter, all which sortes of bread were ordeined to be waged by sterling money, as it was currant in the raignes of king H.3. & king Ed.1. vz. that a sterling peny should way 32. graines of wheat in ỹ middest of the eare, & that xx. of those pence, should make an ounce, which values The Assise of bread & ale.

time sithence hath much altered, but omitting ỹ value, & casting ỹ iust waight of an ounce, ỹ sãe proporcion in waight which ỹ statut appointeth, is to be obserued, & the waightes & measures which be kept & vsed in cities, townes & boroughes, according to the statut of 11. Hy. 7. & 12. Hy. 7. doe agrée wᵗ the foresaid old statuts in effect. And in the said old statuts it is ordeined, that ỹ prices of bread & ale shal not be chãged but as corne riseth or falleth vi. d. in ỹ quarter, & that if the baker or brewer doe breake the assise, the first, ỹ second, & the third time, he shalbe amerced according to the quãtitie of his offence, except his offence be great, but if his offence be great, or ỹ he doth offend a fourth or more often time, ỹ baker offending shal be set vpon the Pillorie, & the brewer shalbe punished by ỹ Tumbrell, which punishments shall not be pardoned for gold or siluer. And if ỹ Bakers farthing bread be found lacking ij. s. vi. d. or vnder (vz. an ounce & demy Troy) he shalbe amerced, & if it excæde, he shalbe set vpon the Pillorie. And the pillorie shalbe of sufficient strength, ỹ the iudgemẽt may be executed vpon the offendors wᵗout peril of their bodies. S. Bruers. 2.

1 By vvhat measure the Queenes Purueyors shall take corne and other vittaile, S. Purueyors. 16.

2 For the length, bredth, and vvaight of all maner of cloth. S. Draperie 1. &c. 70.

3 For the Assise, length, and breadth of Couerlettes made in Yorke shire. S. Couerlets 3.

4 For the content of ech vessell of vvine, hony, and oyle. S. vvines 16.

5 For the content of a Butt, Barrell, halfe Barrell, and other vessell of Salmon. S. Fishe 8.

6 For the content of a barrell, halfe barrell, and firkin of Herrings & Eles. S. Fishe 9. &c.

7 For the cõtẽt & vvaight of barrels & firkins of sope, S. sope 1

8 For the content of euery vessell made for Ale and Beere. S. Couvpers 2.

9 Hovv he shalbee punished vvhich occupyinge buying of pevvter or brasse, doth occupie any deceyuable beames & vvayghtes. S. Pevvterers 4.

10 That all vvoollen Cloth shalbe sold by the yard and ynch. S. Draperie 70.

11 By vvhat measure Millers shall take their tolle. S. Tolle. 2.

¶ Weares.

Bridges. Bankes. By the Statut of Magna Chart'ca. 15. 16. & 23. it was prouided that no village or freeman should be distrayned to make any

Bridges

Bridges or bankes, but such as by right they had wont to make. Nor ỳ any bankes should be from thencefoorth defended, but such as were defended in the time of king H.2. & by the same places & ỳ same bonds. And that al weares should be wholly put downe by Thamise, Medwey, & thorough al Englād, sauing by ỳ sea coast. weares.

2 ¶ All such weares, mills, stanks, stakes, & kiddels, which be leuied & set vp in ỳ time of K. Ed. 1. & after, whereby ships & boats be disturbed, ỳ they may not passe in such riuers as they were wōt, shalbe taken away & pulled downe, & not be set vp againe, & thereupon writs shalbe sent to the shirifes of the places where nēede is to survey, inquire, & therof make execution. And also Justices shalbe assigned as often as nēede shal require. 25. Ed. 3. 4. And if any such Nusance be pulled downe according to ỳ content of ỳ foresaid statut, he ỳ shall leuie or set vp ỳ same againe, & therof shalbe in due maner attainted, shall forfeit to ỳ K. C. marks, to be leuied by ỳ estreats of ỳ Eschequer. And ỳ same law shal hold place of any annoyance committed by ỳ enhaunsing of such weares, mils, stāks, stakes, & kiddels, as by making of new. 45. Ed. 3. 2. Newe weares shalbe pulled downe & not repayred.

3 ¶ Commissions shalbe directed in due forme to sufficient persons to be Justices in euery coūty of Englād where nēede shal be, to survey & kepe ỳ waters & great riuers there, & to correct & amend ỳ faults, & to make due execution of ỳ foresaid statut of 25. & 45 Ed. 3. according to ỳ effect thereof, aswell by their survey, aduise, & discretion, as by Enquests therupon to be taken wīn frāchises & wout, if & when nēede shalbe, & to heare and determine the foresaid things. And moreouer to survey the weares, mils, stanks, stakes, and kiddels aunciently vsed and leuied before the time of king Ed. 1. & those which they shal find to much enhaunced or streightened, to abate, reforme, & amend, in maner & forme aforesaid: Sauing alwayes a reasonable substāce of the weares, mils, stanks, stakes, and kiddels aforesaid, so in old time made and leuied, 1. H. 4. 12. & 4. H. 4. 11. That Commissiōs shalbe made to certaine Justices and other in euery Countie where nēede shalbe, to inquire of al ỳ which is contained in the said statuts, and to punish the offendors of the same by fine, according to their discretion: Sauing alwayes to the Quēene the paines comprised in the said statutes. And the estreates of such fines shalbe deliuered by the said Justices to the shirife of euery Countie by Indenture, and the shirife shall pay of the issues and profites rising of the said Estreates, to euery of the said Justices for euery day that he shall trauell to exercise the sayd Commission iiij. shillinges, and the shirife shall therof haue allowance in the Eschequer. Commissions to survey ỳ faults of weares. Cōmissioners allowance for their paines.

The forfaiture of offendors.

4 ¶And if any such annoyãce of weares, mills, stanks, stakes, & kiddels of passages & streigtnings in old time made & leuied be iudged or awarded by ẏ said Iustices to be abated or amended, he which hath ẏ frẽhold thereof, shall execute the same at his owne costes, within halfe a yere after notice therof to him giuen, vpon payne of C. Markes to be paid to the Quẽne by the estrets of the eschequer. And he which doth make thẽ to be set vp againe enhaũced or streightened contrary to ẏ said iudgement, & therof is duely cõuict shal forf. to ẏ Quẽne C. Marks, to be paied as is aforesaid. And in case any man fẽleth him selfe grẽued by execution or other meane in this behalf against right & reason, let him pursue it, & he shal haue right & reason. 1. H. 4. 12.

An offence not reformed, according to the Cõmissioners award.

5 ¶If by award or iudgemẽt of any of the said Cõmissioners assigned according to ẏ said statut of 1. H. 4. it be found ẏ any such weares, fishgarthes, mills, mildams, milstankes, lockes, hebbing-weres, stakes, kiddles, heckes, or sludgats be made, leuied, enhaũced, streighted or enlarged contrary to ẏ same statut, if ẏ offendors in this behalfe contrarie to ẏ said award, rule, & iudgement being duely warned by the shirife or vndershirife of ẏ countie or cõties where such weres, fishgarthes &c. & other ãnoyances, disturbãces, or impediments aforesaid, shalbe found, made, leuied, streighted, or enlarged, by Scire facias being directed to ẏ said shirife or vndershirife doe not wĩn iij. monethes next after ẏ said garnishmẽt made, at their owne costes & charges duely & fully amend, breake downe & auoid the said making, leuying, enhaunsing, streightning or enlarging, being defectiue, as in ẏ foresaid statut is specified, then he or they which shal in this case offend, shal forf. to the K. for euerie default C. markes, by transcript to be deliuered into ẏ Eschequer, in maner & forme, as in the said statut is contained. And if the offendor, his heire, heires, assignée, or assignées or any of thẽ doe deferre or continue the same defaults cõtrarie to the foresaid award, rule, & iudgement of ẏ Cõmissioners aforesaid, he or they so differring or cõtinuing ẏ same default, shal forf. for euery moneth after ẏ said iij. moneths ended, ẏ the same default shal remaine & be not corrected, amended nor reformed C. marks to the K. & any of her subiects ẏ wil sue by A. of debt, wherin no w. E. P. &c. 12. Ed. 4. 7.

An offence made or cõmitted by a stranger contrary to the cõmissioners award.

6 ¶If any person other then such against whom such award, rule, or iudgement was made & had, not being heire or assignée to them or any of them, wil presume to occupie or continue any such weres, fishgarths, mils, mildames, milstankes, lockes, hebbing-weares, stakes, kiddels, heckes, sludgats, or other disturbances or impediments, as is aforesaid, he or they which doe presume to occupie

cuple or cõtinue, ſhal forfeit for euery default for euery moneth as is aforeſaid T. markes to ỹ Q. & any of her ſubiects ỹ wil ſue by A. of debt, wherein no w. E. P. &c. 12. Ed. 4. 7.

¶VVhite aſhes.

NO perſon ſhal ſhip, lade, carry, or conuey any white aſhes towards the parties beyond the ſeas, vpon payne of forfaiture of vi. s. viij. d. for euery buſhell of ſuch aſhes ſo to be ſhipped or laden to be caried or conueyed into the partes beyond the ſeas, to the Quéene and I. to be recouered by. A. I. &c. wherein no. W. E. P. &c. 2. Ed. 6. 26. White Aſhes ſhal not be tranſported.

¶VVildfoule.

FRom the firſt day of March vnto the laſt day of June yerely, no perſon ſhal willingly withdrawe, purloine, take, diſtroy, or cõuey any eggs of any kind of wildfoule frõ any neſt or place where they ſhalbe laied by any kind of the ſame wildfoule, vpon paine of impriſonment for one yere, & forfait to the Q. & I. &c. for euery egge of any Crane or Buſtard ſo diſtroied or taken frõ any neſt or place. xx. d. and for euery egge of euery Bittor, Heron, or Shouelard, eight pence, and for euery egge of euery Mallard, Teale, or other wildfoule. i. d. wherein no W. E. P. &c. This act ſhall not be hurtful, to any perſon that wil diſtroy any Crowes, Choughs, Rauens, Buſſardes, or their egges, or to any other foule or their egges, not comeſtible or vſed to be eaten. 25. H. 8. 11. 3. Ed. 6. 7. Taking or diſtroying the egges of wildfowle.

¶VVilles & Teſtaments.

EVery perſon hauing any manors, lands, tenemẽts, or hereditaments, holden in ſocage or of the nature of ſocage, & not hauing any lands &c. holden of ỹ Q. by knights ſeruice, or by ſocage tenure in chiefe, or of ỹ nature of ſocage tenure in chief, nor of any other perſõ by knights ſeruice, hath frée libertye & power, to geue, diſpoſe, wil, and deuiſe, aſwel by his laſt wil & teſtamẽt in writing, or otherwiſe by any act or acts lawfully executed in his life, al his ſaid landz &c. or any of them at his pleaſure, any law &c. notwithſtanding. 32. H. 8. 1. 20. Iulii Anno Do. 1540. Lands holdẽ in ſocage & none in chiefe, or by knights ſeruice

2 ¶ Euery perſon hauing manors, lands, tenemẽts or hereditaments holden of ỹ Q. her heires, or ſucceſſors in ſocage, or of ỹ nature of ſocage tenure in chiefe, & hauing any other lãds &c. holdẽ of any other perſon in ſocage, or of ỹ nature of ſocage tenure, & not hauing any lãds &c. holdẽ of ỹ Q. nor of any other perſon by knights ſeruice, hath ful power, to geue, wil, diſpoſe, & deuiſe aſwel by his laſt wil or teſtament in writing, or otherwiſe by any act or actes lawfully executed in his life al his ſaid lãds, tenemẽts, & hereditaments Lands holdẽ of the Queene in ſocage in chiefe & none holdẽ by knights ſeruice.

ments,or any of them at his frée will & pleaſure. Sauinge to ẏ Q. &c.al her right,title, & intereſt of primer ſeiſon & reliefe,and alſo al other rights,& duities for tenure in ſocage,or of ẏ nature of ſocage tenure in chiefe, as heretofore hath bene vſed,ẏ lãe lands &c. to be ſued out of and from her hands by the perſon or perſons to whõ any ſuch lãds &c. ſhalbe diſpoſed,willed,or deuiſed,in ſuch & like maner & forme,as hath ben vſed by any heire before ẏ making of this ſtat. And ſauing alſo fines for alienations of ſuch lands &c. holden of the Q. in ſocage,or of ẏ nature of ſocage,tenure in chiefe,where of there ſhalbeany alteration of frœhold or inheritãce made by will or otherwiſe,as is aforeſaid. 32. H.8. 1.

The Queenes primer ſeiſon & fines for alienations ſaued.

3 ¶Euery perſon hauing any manors, landes, tenementes,or hereditaments of eſtate of inheritance, holden of the Q. in chiefe by knights ſeruice,or of ẏ nature of knights ſeruice in chiefe, hath ful power by his laſt will by writinge, or otherwiſe by any act or acts lawfully executed in his life,to geue,diſpoſe,will,or aſſigne ii. partes of ẏ ſame lands &c. in thrée parts to be deuided, or els as much of the ſaid lands &c.as ſhal amount to ẏ yerely value of two parts of ẏ ſame in thrée parts to be deuided in certaintie,& by ſpecial diuiſions,as it may be knowen in ſeueraltie,to and for the aduauncement of his wife,preferm̃et of his children,& paym̃et of his debts, or otherwiſe at his pleaſure. Sauing to ẏ Q. the cuſtodye, wardſhip,& primer ſeiſon or any of them, as the caſe ſhal require, of aſmuch of the ſame lands &c.as ſhal amount to ẏ full and cleare yearely value of the third part thereof, without any diminution, dower,fraude,couine, charge,or abridgement of any of the ſame third part, or of the ful profits thereof. Sauing alſo to the Quéne &c.al fines for alienations of al ſuch lands &c. holden of ẏ Quéne by knights ſeruice in chiefe,whereof there ſhalbe any alteration of frœhold or inheritance made by will or otherwiſe, as is aboueſaid. 32. H.8. 1.

Lãds holden of the Queene in chief by knights ſeruice.

Wardſhip primer ſeiſon,and fines for alienations ſaued to the Queene.

4 ¶Euery perſon hauing manors,lands,tenementes,or hereditaments,of eſtate of inheritãce holden of the Quéne in chiefe by knights ſeruice,and hauing other lands &c. holden of ẏ Quéne or of any other perſon or perſons by knights ſeruice,or otherwiſe, haue ful power to geue, diſpoſe, will, or aſſigne by his laſt will in writinge or otherwiſe, by any act or actes lawfullye executed in hys life, two partes of the ſame landes &c. in thrée partes to be deuided,or els aſmuch of the ſame landes &c. as ſhal extend to the yearely value of two partes of the ſame in thrée parts to be deuided in certeintie,and by ſpetial diuiſions,as it may be knowen in ſeueraltie,to & for the aduancement of his wife, preferment of his

Lãds holden in chiefe & other lands holden by knights ſeruice.

Wardſhip primer ſeiſõ,& fines for alienations ſaued to the Queene.

his childzen, any paiment of his debts or otherwiſe at his pleaſure. Saving to ẏ M. ẏ cuſtody, wardſhip, & primer ſeiſon, or any of thē as the caſe ſhal require of aſmuch of ẏ ſāe lands &c. as ſhal amount to ẏ ful and clere yerely value of ẏ third part thereof, wōut any diminutiō, dower, fraud, couin, charge or ſubtraction of ẏ ſame third part, or of ẏ ful profits thereof, & reſeruing to ẏ M. al fines for alienations for any ſuch landes &c. holden of her by knights ſeruice in chiefe, whereof there ſhalbe any alteratiō of freehold or inheritāce made by wil or otherwiſe, as is aboueſaid. 32. H. 8. 1.

5 ¶ If any perſon hold any manors, lands, tenemēts or hereditaments only of any other perſon thē of ẏ M. by knights ſeruice & other lands &c. in ſocage, or of the nature of ſocage tenure, then he may geue, diſpoſe, or aſſure by his laſt wil, or otherwiſe by any act or acts lawfully executed in his life, two parts of the ſaid lands &c. holden by knights ſeruice, or of aſmuch thereof, as ſhal amount to the ful yerely value of two parts, and alſo al the lands &c. holdē by ſocage, or of ẏ nature of ſocage tenure at his pleaſure. Saving to ẏ lord of ẏ lands &c. holdē by knights ſeruice, for his cuſtody, & ward ſhip, aſmuch of the ſame lands &c. as ſhal amount to the ful and cleare yerely value of ẏ third part of ẏ ſāe lāds &c. holdē by knightz ſeruice, wōut any diminutiō, dower, fraude, couine, charge or ſubtraction of any portion of ẏ third part, or of the clere yerely value thereof in maner and forme aforeſaid. 32. H. 8. 1.

Certein landz holden only of common perſōz by knightz ſeruice, & other in ſocage.

The lordz ward ſhip of the third part ſaued.

6 ¶ If any perſon hold any manors, lands, tenements, or hereditaments, onely of ẏ Quéene by knights ſeruice, & not in chiefe, or hold any landes &c. of our ſaied ſoueraigne Lady by knights ſeruice, and not in chiefe, & alſo hold other lands &c. of any other perſon or perſons by knights ſeruice, and alſo hold other landes of any other in ſocage, or of the nature of ſocage tenure, then euery ſuch perſon ſhal and may geue, diſpoſe, deuiſe, and aſſure by his laſt wil, or otherwiſe, by any act or acts lawfully done or executed in his life two parts of the ſame lands &c. holden of the Quéene by knights ſeruice, and two parts of the ſame landes &c. holden of any other perſon or perſons by knights ſeruice, or aſmuch of either of them as ſhal amount to the ful yerely value of two parts, and alſo al his landz and tenements ſo holden in ſocage, or of the nature of ſocage tenure, at his pleaſure. Sauing to the Quéene the cuſtody, & wardſhip, of aſmuch of the ſame lands &c. as ſhal amount to the cleare yerely value of ẏ third part of the ſaid lands &c. ſo holden of her by knights ſeruice, without any diminutiō, dower, fraud, couin, charg or ſubtraction of any portion of that third part or of the ful profits thereof. And alſo ſauinge to the Lords of whom any of the ſayed lands

Certein landz holden of the Queene & certaine of otherz by knights ſeruice, and other landz holden of otherz in ſocage

The Queene. & other lords third part ſaued

lands &c. be holden by knights ſeruice, for cuſtody and wardſhipp as much of the ſame landes &c. holden of them or any of them by knights ſeruice, as ſhal amount to the cleare yerely value of ỳ third part of the ſame, without anie diminution, charge, couyne, or ſubtraction of any portion of that third part, or of the cleare yerely value of the third parte thereof in manner and forme aforeſaid. 32. H. 8. 1.

The Queene or other lord may take ſo much as wil make vp their ful third part.

7 ¶ If that third part of the landes &c. which in any of ỳ caſes aboueſaid ſhal come to the Quéene, her heires &c. by vertue of this act, be not, or do not amount to the cleare yearely value of the full third part of the ſaid lands &c. whereof the Quéene ſhalbe intituled to haue the cuſtodie or primer ſeiſon, as is aboueſaid: Then our ſaid ſoueraigne Lady & her heirs, ſhal and may at her or their frée libertie take into her or their poſſeſſion aſmuch of the other two parts of the ſaid lands &c. as with that of ỳ ſame lands &c. remayning in her hands, ſhal make vp the cleare yearely value of the ful third part of the ſaid lands &c. ſo to be had to the Quéene in title of wardſhip and prymer ſeiſon or any of them as the caſe ſhall require. And like benefit ſhalbée geuen to euery Lord of whom any ſuch lands &c. ſhalbe holden by knights ſeruice, concerning onlye his third part of or for title of wardſhip. 32. H. 8. 1.

Suing of liuery

8 ¶ Euery perſon or perſons ſhal ſue their liueries for poſſeſſions, reuerſions, and remainders, and alſo pay reliefes, & heriotes, after ſuch maner and forme, as they ſhould or ought to haue done before the makinge of this act. And fines for alienations ſhalbe paied in the Quéenes Chauncerye, for and vppon writes of Entrie in the Poſt to be obtayned in the ſame court for common recoueries to be had or ſuffered of any lands &c. holden of the Q. in chiefe, in like maner and fourme, as is vſed vppon alienations of ſuch lands &c. ſo holden in chiefe by fine or feoffement. But in ſuch caſes where fines for alienations ſhalbe paied in the Chauncerye for writtes of Entrie in the Poſt, as is aforeſayed, then none other fyne ſhalbe payed in the ſame Court for any ſuch wryttes. 32. H. 8. 1.

Fines for alienatiõs vpon cõmon recoueries

The womens title of dower in the two partz ſaued.

9 ¶ Sauinge to al and euery woman and women, all and euery ſuch right, title and intereſt of dower, as they or any of them ought or ſhalbe iuſtly intituled to haue, claime, or demaunde of any manors, lands, tenements, or hereditaments by the lawes of this realme, to be aſſigned to them or any of them out of the two partes of the ſaid lands &c. ſeuered from the third part, as is aboueſaid & not otherwiſe. And ſauing alſo to the Quéene her heirs and ſucceſſors the reuerſions of al ſuch tenants in dower, & iointenure,

The reuerſion ſaued to the Q. after tenant in dowers death.

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immediatly after ẏ death of ſuch tenãts, if they ſhal happen to die during ẏ minority of the Queenes wards. 32. H. 8. 1. For ẏ caſe of tenure. S. VVardes. 25.

10 ¶ Where it is cõtained in ẏ ſãe ſta. of 32. H. 8. wõin diuers branches of the ſame, ẏ al & ſinguler perſon or perſons hauing any manors, lands, tenemẽts, or hereditamẽts of eſtate of inheritãce, ſhould haue free libertye to geue, wil, diſpoſe, or aſſigne, as wel by his laſt wil and teſtament in writinge, or otherwiſe by any act or acts lawfully executed in his life, his manors, landes, tenementes, or hereditamentes, or any of them, in ſuch manner, as in the ſame act it doth appeare, which wordes of eſtate of inheritaunce by the auctoritie of this parliament, are and ſhalbee expounded, taken and iudged of eſtates in fee ſimple onely. Anno 34. H. 8. 5.

The expoſition of the foreſaid ſta. of 32. H. 8.

The ſtat. extendeth only to fee ſimple landes.

11 ¶ Al & ſinguler perſõ & perſõs hauing a ſole eſtate or intereſt in fee ſimple, or ſeiſed in fee ſimple in Copercenarie, or in cõmon in fee ſimple, of and in any manors, lands, tenemẽts, rẽts, or other hereditaments in poſſeſſion, reuerſion, or remainder, or of rentes or ſeruices incident to any reuerſion or remainder, and hauing no manors, lands, tenements, or hereditaments holden of the Q. &c. or of any other perſon or perſons by knights ſeruice, ſhal haue free libertie and power, to geue, wil, diſpoſe, or deuiſe, to any perſon, or perſons (except bodyes politike and corporat) by his laſt wyll and teſtament in writinge, or otherwiſe by any act or actes lawefully executed in hys lyfe by him ſelfe ſolely, or by him ſelfe and other ioyntlye, ſeuerallye, or particularlye, or by al thoſe wayes or anie of them, as much as in hym of ryght is or ſhalbee, all hys ſayed landes &c. or any of them, or any rentes, commons, or other commodyties, out of, or to bee perceyued of the ſame, or out of anye parcell thereof at hys owne pleaſure. Anno 34. Henrici 8. 5.

Sole tenant, tenant in cõmon & copaſcenary in fee of lands in poſſeſſion, reuerſion, remainder.

Deuiſing of rẽt or common out of land.

12 ¶ Euery perſon hauing a ſole eſtate or intereſt in fee ſimple, or ſeiſed in fee ſimple in coparcenary, or in common in fee ſimple, of or in any mannors, lands, tenements, rentes, or other hereditamentes in poſſeſſion, reuerſion, or remainder, or of and in any rentes or ſeruices incident to any reuerſion or remainder holden of ẏ Quẽne by knights ſeruice in chiefe, or of ẏ nature of knights ſeruice in chiefe, ſhal haue ful power and auctoritie to geue diſpoſe, wil, or aſſigne to any perſon or perſons (except bodies politique & corporat) by his laſt will and teſtament in writinge, or otherwiſe by any act or acts lawfully executed in his life, by hym ſelfe ſolely, or by him ſelfe & other iointly, ſeuerally, or particularlie,

Certaine landes holden of the Q. by knights ſeruice in capite & other of other perſons.

lie, or by al thoſe waies or any of thē, as much as in him of right is or ſhalbe, ii. parts al wel of al the ſaid lands &c. as of al & ſingular his other rents & hereditaments, or of any of thē, or any rents, cōmōs, or other cōmodities out of, or to be perceiued of ẏ ſāe ii. parts or out of any parcel thereof in iii. partes to be deuided, or almuch thereof as ſhal amoūt to ẏ ful & clere yerely value of ii. parts thereof in iii. parts to be deuided, of what perſon or perſons ſoeuer they be holden at his pleaſure. And ẏ ſaid wil ſo declared ſhalbe good and effectual for two parts of ẏ ſaid lands &c. although the wil be made of the whole, or of more then of two parts of the ſame: The ſame diuiſion to be made and ſet forth by ẏ deuiſor or owner of the ſame lands &c. by his laſt wil in writing, or otherwiſe in writing, & in default thereof by a cōmiſſion to be graunted out of the Queenes Court of wardes & liueries, vpon the inquiry of ẏ true value thereof by the othes of xij. men, & returne or certificat thereof had in the ſame court of the ſaid lands &c. diuiſion to be made by the Maiſter of the wards & liueries, if ẏ ſaid maiſter & the deputies therunto can not otherwiſe agree vpon ẏ ſāe diuiſion. And ẏ iſſues & profits of ẏ ii. parts of ẏ ſame lands &c. vpon euery ſuch diuiſiō to be reſtored to them ẏ ſhal haue right or title to the ſame, from the death of ẏ owner or deuiſor thereof. 34. H. 8. 5.

A will good for ii. parts thoughi it be made for the whole.

Diuiſion of the lāds where the Q. is intituled to a third part.

Certain lands holden of the Q. or others by knights ſeruice & certain in ſocage.

13 ¶ Euery perſon hauing a ſole eſtate or intereſt in fee ſimple or ſeiſed in fee ſimple in coparcenary, or in cōmon in fee ſimple, of & in any manors, lands, tenements, rents, or other hereditamēts, in poſſeſſion, reuerſion or remainder, or of & in any rents, or ſeruices incident to any reuerſion or remainder holden of the Q. &c. by knights ſeruice & not in chiefe, or holden of any other perſō or perſons by knightes ſeruice, ſhal haue ful power to giue, diſpoſe, wil, or deuiſe, to any perſon or perſons (except bodies politike & corporat) by his laſt wil & teſtamēt in writing, or otherwiſe by any act or acts lawfully executed in his life by him ſelfe ſolely, or by him ſelfe & other iointly, ſeuerally, or particularly, or by al thoſe waies or any of thē, almuch as in him of right is or ſhalbe, ii. parts of al ẏ ſaid lands &c. or any of thē ſo holden by knights ſeruice, or any rēts cōmon or other profits out of, or to be perceiued of ẏ ſame ii. parts or out of any parcel thereof, in iii. partes to be deuided, or almuch therof as ſhal amount to ẏ ful & clere yerely value of ii. parts therof in iii. parts to be deuided at his pleaſure. And the ſaid wil ſo declared ſhalbe good for two parts of the ſaid lands &c. although the ſame be made of ẏ whole lands &c. ſo holden by knights ſeruice, or of more thē of ii. parts of ẏ ſame, & alſo for ẏ whole of al other ſuch lands &c. or any of them, not holden of ẏ Q. by knightes ſeruice in

A will made of the whole ſhal be good for two partes.

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chiefe, or otherwiſe by knights ſeruice, nor of any other perſons by knights ſeruice, & of any rents, commons, or other commodities out of, or to be perceiued of the ſãe, or out of any parcel thereof at his free will: The ſame diuiſion to be made & ſet forth by ẏ owner of the ſaied landes &c. by his laſt will in writinge, or otherwiſe in writing, and in default thereof, for almuch of the ſame lands &c. as ſhal concerne the Q. intereſt, by commiſſion to be directed out of the Quenes court of wardes & liueries if the maiſter of ẏ Wardes &c. and ẏ parties thereunto cãnot otherwiſe agree vpon ẏ ſãe deuiſion. And reſtitutiõ of ẏ iſſues & profits of ẏ two parts thereof ſhal be made in manner and fourme aboueſaid. And for ſuch of the ſame landes &c. as ſhal concerne the intereſt of any other Lord or Lords by Commiſſion to be graunted out of the Chaũcery, to enquire thereof by ẏ othes of xii. men, if ẏ ſãe lord or lords, & ẏ parties therunto cannot otherwiſe agree vpon ẏ ſãe Deuiſion. 34. H. 8. 5.

14 ¶ The ſauings, reſeruings, & prouiſions concerning ſauing of ẏ cuſtody, wardſhip, reliefe, and primer ſeiſon to the Quene of ſuch lãds &c. or almuch thereof as ſhal appertaine vnto her by vertue of theſe two actes, during the Quenes intereſt therein: And alſo of the cuſtodye and wardſhippe to other Lords of almuch of ſuch landes &c. holden of them as ſhall amount to the clere yerely value of the third part thereof aboue al charges, without any diminution &c. compriſed in diuers Articles in the ſaid former act of 32. H. 8. contained, be and ſhalbe expoũded, and taken as hereafter enſueth vz. The Quene ſhal haue and take for her ſul third parte of al ſuch landes &c. whereunto ſhee is or ſhalbe intituled by the ſaid fourmer act, and by this Act, ſuch landes &c. as ſhall by any meanes diſcend, or come by diſcent, aſwel of eſtate of inheritance, in fee Tayle as in fee ſimple, or in fee taile only, to the heire of any ſuch perſon that ſhal make any wil, gift, diſpoſition, or deuiſe by his laſt wil in writing, or by any act or acts lawfully executed in hys life, immediatly after the death of the ſame deuiſor or owner thereof. And ẏ wil, gift, & deuiſe of euery ſuch deuiſor or owner, of & for ẏ two parts of the ſaid lands &c. reſidue, ſhalbe & ſtand good in the law, albeit the ſame be had and made of al his fee ſimple lands &c. or of the more parte thereof. And in caſe the ſame lands &c. which after ẏ death of any ſuch owner or deuiſor ẏ ſhal make any ſuch gift, diſpoſitiõ, or deuiſe by his laſt wil in writing, or otherwiſe by any act or acts lawfully executed in his life, to his wife, childrẽ, or otherwiſe as is aforeſaid, which ſhal immediatly after his death diſcend, reuert, remaine or cõe to his heire or heirs, aſwel of eſtate of inheritance in fee taile, as of eſtate in fee ſimple or fee taile only, be not,

An expoſitiõ of the ſauings, reſeruings, & prouiſions made in theſe ii. acts.

be not, or ſhal not amount to the ful clere yerely value of the full third part, with the ful profits thereof, of al the ſaid landes &c. of the ſaid deuiſor or owner according to the trewe intent of the ſaid former act, and of this act: Then the Quéene ſhal or may haue & take into her hands to make vp her ful third part with the ful profits thereof according to her intereſt therein, as much of the other lands &c. willed, giuen, diſpoſed, or aſſigned by any ſuch perſon to his wife, children or other wiſe as is aforeſaid, as with ſuch of the ſame lands &c. diſcended, or by any meanes come vnto the heire, (as heire of any ſuch deuiſor or owner) ſhal make vp ẏ clere yerely value of ẏ ſaid ful third part, with the ful profits thereof of al the ſaid landes &c. of euery ſuch owner or deuiſour ſo to be had to the Quéene in title of wardſhip or primer ſeiſon as ẏ caſe ſhal require. And the deuiſion thereof to be had and made and with the reſtitution of the profits of the two parties of the ſaid lãds &c. in ſuch maner & forme as is aboue reherſed. And like benefit ſhalbe giuẽ, had & taken to euery lord of whõ any ſuch landes &c. bee or ſhalbe holden by knights ſeruice in manner and fourme abouelaid, concernynge only hys third part thereof according to his intereſt therein. 34. H. 8. 5.

A remedy for the Queene or other Lord, if their third part be euicted.

15 ¶If it hapen the ſame third part, or any part thereof left, willed or aſſigned to the Quéene, or other Lord, at any time during their intereſt therein to be lawfully euicted or determyned: Then the Quéene and the other Lord ſhal haue aſmuch of the ii. partes reſidue, as ſhal make vp a ful third part in cleare yearely value, after the rate and portion of ſuch landes &c. as ſhal then remaine of the ſame third part not euicted or determined, and of ẏ other two parts of ſuch lãds &c. as the Quéene or other lord ſhould or ought to haue had by vertue of the ſaid former act, and this act, and the ſame to bee deuyded in fourme aboue reherſed. Anno 34. Henrici. 8. 5.

16 ¶The Sauing and Reſeruing for fines for Alienation by any ſuch laſt wil and teſtament of ſuch lands &c. holden of the Q. by knights ſeruice in chiefe, or of the nature of knightes ſeruice in chiefe, or by ſocage in chiefe, or of the nature of Socage tenure in chiefe, or for fines for Alienations of ſuch lands &c. whereof there ſhalbe any alteration of frée hold, or of inheritaunce made by anie ſuch laſt wil compriſed in ſundry articles menεyoned in the ſayd former Act, be and ſhalbe intended and iudged, that al ſuch perſon or perſonnes to whom the ſayed landes &c. or any of them be, or ſhalbe giuen or deuyſed by any ſuch laſt wil, ſhalbe exonerated and diſcharged for euer againſt the Quéene her heires and

ſucceſſors

ſucceſſors for al ſuch fynes for Alienations, by any ſuch laſt wil or teſtament without licence, by ſuing forth of the Quéenes pardon for Alienation out of the Chauncerie, paying to the Quéene, her heires or ſucceſſours for the fine of euerie ſuch Alienation the third part of the yearely value of the ſame manors, landes, tenements, or other hereditamẽts to him or them willed or deviſed, And this act ſhalbe a ſufficient warrant to the Lorde Chauncelour or Kéeper of the great ſeale for the time beinge for the graunting out of the ſayde Pardons vnder the great ſeale &c. Anno triceſimo quarto Henrici. 8. 5.

A pardon of alienation muſt be ſued by thoſe to whom lands holden in Capite, be deuiſed.

17 ¶ Willes or teſtaments made of any manors, landes, tenements, or other hereditaments, by any woman couert, or perſon within the age of one & twenty yeres, Ideot, or by anie perſon de non ſanæ memoriæ, ſhal not be taken to be good or effectuall in the lawe. 34. H. 8. 5.

Womã couert
Infants.
Ideots.
Lunatikes.

18 ¶ All and euery perſon and perſons from whom the Q. or other Lorde or Lordes ſhall take any landes &c. for her or their full third part, or to make vp her or their full third part, ſhal or may vpon his or their bill exhibited in the Chauncery agaynſt all and euery ſuch perſon and perſons which ſhalbe intituled by or vnder any ſuch Will, gift, diſpoſition, or deuiſe, to the other two partes, haue ſuch contribution or recompence for the ſame, as by ỳ Chaũcelour of Englande, or by the Kæper of the great Seale for the tyme being, ſhalbe thought good. Anno triceſimo quarto Henrici octauo 5.

Contribution for any lãds taken away by the Q. or other lords.

19 ¶ But this act and explanation doth not extend to the will or deuiſe of Sir John Gainſford, Syr Peter Fylpott, Richard Creſwell, or of Thomas Unton, or ſhalbe hurtfull to anie perſons concerning any landes, hereditaments &c. conteined or ſpecified in anie of the ſayde willes or deuiſes, but the ſaid willes and euery of them ſhall remayne in the ſame effect to al intentes as they were before. 34. H. 8. 5.

20 ¶ All wydowes may bequethe the croppe of their ground aſwell of their dowers, as of other their landes and tenements, ſauyng to the Lordes of the fée all ſuch ſeruices as be due for their dowers and other tenementes. Merton triceſimo Henrici tertij ſecundo.

Wydows may bequethe their Croppe.

21 ¶ In caſe anie Incumbent happen to dye, and before his death hath cauſed anie of hys glebe landes to be manured and ſowen at hys proper coſtes with anie Corne, then euery ſuch Incumbent may make his Teſtament of all profites of the Corne growing vppon the ſame glebe landes ſo manured and ſowen.

Incũbent may bequethe the croppe of his glebe.

28.H.8.11.S. Eccleſiaſticall.30.

1 For the prouing of vvilles, committing of Adminiſtration, the ordinarie and his miniſters fees, and dueties therefore. S. Probate of teſtaments.

2 Fraudulent vvilles to defeat the lord of vvardship or other aduantages. S. VVardes.24.

¶Wynes.

Prices of wines ſhalbe aſſeſſed by the chief Maieſtrates.

THe Lorde Chauncelour, Lord Treaſourer, Lord Preſident of the Quenes councel, Lorde Priuy Seale, and the two chiefe Juſtices of either Bench, or fiue, fower, or three of them haue authoritie by their diſcretions to ſet the prices of al kind of wines, vz. of the prices of the But, Tũne, pipe, hogſhed, poncheon, terce, barrel or rundlet, when it ſhalbe ſolde in groſſe, ſo that they or any of them cauſe the prices by them ſet to be written, and open Proclamation thereof to be made in the Chauncery openly in the terme time, or els in the citie, borough, or towne where any ſuch wynes ſhalbe ſold in groſſe, 28. H.8.14. And by the ſtat of 37. H.8.23. the ſaid perſons ſhal yerely ſet the prices of al kindes of wyne, mẽcioned in the foreſaid act, betwene the xx. day of Nouember, & the laſt of December, and at no other time. S. 5. Ed.6.17. and ỳ ſayd ſtatute of 37. Henrici 8. and Quere if this laſt part of the braunche remaine in force.

Quere.

The forf. of thẽ which ſel wines in groſſe cõtrary to the prices aſſeſſed.

2 ¶If any perſon after ſuch prices be ſet and put in writing by the ſaid Lords or by v. iiij. or iij. of them, and proclamation thereof had (as is aforeſaid) do ſel any wines in groſſe, by any couin, cõtrarie to the ſaid prices ſo ſet & proclamed, thei. he ſhall forf. for euerie veſſel by him ſold in groſſe contrary to the ſayd prices xl.s. the one halfe to the M. & the other halfe thereof (if it be in any citie, borough or towne corporate) to be to the Mayors, ſhiriffes, bayliffes or other head rulers thereof, and if it be without citie &c. then to be to the Quene and J. &c. to be recouered by A. J. &c. wherein no W. E. P. &c. 28. H.8.14.

Denying to ſell wynes at the prices aſſeſſed.

3 ¶Euery merchant and other perſon which ſhal haue wines to be ſold, and refuſing to ſel or deliuer, or not ſelling any of ỳ ſame wines for ready money therefore to be paid according to the price thereof then being ſet, ſhal forfait the value of the wine ſo required to be bought, to the M. & J. to be recouered by A. J. &c. wherein no W. E. P. &c. 24. H.8.6.

where Juſtices of peace or other officers may ſel other mens wines.

4 ¶It ſhalbe lawful to al & ſinguler Juſtices of peace, Maiors & other head officers, in ſhires, cities, boroughs & townes, and in other places of this realme wiñ the precincts of their offices, at ỳ requeſt

requeſt of any of ỹ Quẽnes ſubiects to whom any Denier of ſale, or from whõ any reſtreint of ſale of any ſuch wines ſhalbe made, and full payment thereof without delay offered to be made accordyng to the prices then ſet by the forſayd lords and Juſtices &c. to enter into the houſes, ſellers, and other places where ſuch wynes ſhall lye, and to ſell and deliuer the ſame deſired to bee bought, to the perſon requiring to buy the ſame, takinge of the buyer therof to the vſe of ſatisfaction of the forfaiture aforeſayde, after the rate of the prices thereof ſet, as is aforeſayde. 24. H. 8. 6. S. 37. H. 8. 23. ſome what the like matter, and Quere if it remayne in force. 5. Edwardi 6. 17.

5 ¶ If at ỹ time of any ſuch ſale of wine purpoſed to be made, the merchant vintner, or other owner thereof, do truely ſhewe to the ſaid Juſtice or head officer purſuing to make the ſaid ſale, what and how much wine he then ſhall haue, and depoſe vpon his bodely othe, to be made and giuen by the diſcretion of the ſame Juſtice or head officer, that he kepeth the ſame wines, to the intent onely to drawe and expende the ſame in his houſe by retayle, or otherwiſe, and not to ſel any of them in groſſe: Thẽ the ſame merchãt, or owner ſhal kepe the ſame wines without any ſale, and without any forfaiture for refuſal or reſtraint of ſale thereof. And in caſe ỹ after ſuch othe the ſame owner do ſell the ſame wines, or ante of them in groſſe vz. by the Tunne, Butt, Terce, pipe, hogſhed, barrel or rundlet, he ſhal forf. the double value of all ſuch wines ſo ſold in groſſe, to the K. and I. to be rec. by A. I. &c. wherein no Wl. E. P. &c. 24. H. 8. 6.

He that kepeth wine to ſpend in his houſe, or to retaile, ſhal not be forced to ſell it.

6 ¶ No perſon inhabiting wỹn any of the Quẽnes dominions of England or wales, ſhal vtter by retaile by ſmall meaſure, vz. by gallon, or any other meaſure of greater or leſſe quãtitie, any Gaſcoine, Guyon or French wines but after the rate of viij. d. the gallon, nor any Rochel wines at greater prices then after the rate of iiij. d. the gallon, nor any other wine at greater price then after ỹ rate of vij. d the gallon at the moſt, vpõ paine that euery perſõ doing ỹ contrary, ſhal forf. for euery ſuch offence x. li. to ỹ K. & I. to be rec. by A. I. &c. wherein no Wl. E. P. &c. 7. Ed. 6. 5. But al and euery perſõ & perſõs which be, or ſhalbe by ỹ laws & ſtatuts of this realme, or otherwiſe authoriſed to ſel wines by retaile, in ỹ ſeueral counties & places where they be, or ſhalbe ſo authoriſed, ſhall & may ſel ỹ ſaid wines by pinte, quart, pottel, gallon, or otherwiſe, at ſuch price or prices & in ſuch forme as ſhalbe limitted by ỹ Quẽns proclamation in that coũty or place made wỹ ỹ aſſent of ſuch lords & other perſons as by the forſaid ſtat of 28. H. 8. were authoriſed

The prices of wines by ſmall meaſure.

Prices of wines aſſeſſed by the Queenes proclamation.

to set price vpon wines in grosse, wout any paine or forf. for ỹ sãe, any law &c. notwithstanding. 5. El. 5.

Who may kepe vessels of wine in their houses to spend.

7 ¶ It shal not be lawfull to any person, win any ỹ Quenes dominiõs aforesaid, except he shal & may dispend in lands or other yerely profits certaine, the sume of C. markes, or els be worth of his owne proper goods, & cattels, M. marks, or shalbe ỹ sonne of a Duke, Marques, Earle, Vlscont, or Baron of this realme, to haue or kepe in his house or custody any vessel of any of the said wynes of Gascoine, Guyon, frenche or Rochel wynes, containing aboue v. gallons, to the intent to spend the same in his house, by any colour or meanes, vpon payne to forf. for euery such offence v. li. to ỹ K. and I. to be recouered by Action, Information &c. wherin no W. E. P. &c. 7. Ed. 6. 5.

None shal retaile wines but in market townes &c.

8 ¶ It shal not be lawful to any person within any of the said dominions, to kepe any Tauerne, or to sell or vtter by retaile by the gallon, or lesse or greater measure, in any place, any of the said wines win any of the said dominions, except it be in cities, towns corporat, boroughs, port townes or market townes, or in ỹ towns of Graueseñ, Sittingborne, Turforde & Baggeshot, vppon payne that euery person that shal so offend, shall forfait for euery daye so offending v. li to the K. & I. to be recouered by A. I. &c. wherin no W. E. P. &c. 7. Ed. 6. 5.

Winteners in corporat townz assigned by the head officers.

9 ¶ It shall not be lawful to any person or persons to kepe anie Tauerne, or sel or vtter by retaile by the gallon, or lesse, or greater measure, in any citie, borough or towne corporat, any manner of wynes, but onely such person and persones as shalbe thereunto nominated & assigned by the head officers and the most part of the common councell, Aldermen, Burgesses, Iurats, or cominalty of such city, borough &c. where such person or persons shal Tauerne, sell, or vtter wine by retaile, as is aforesaid, the said nomination & assignement to be made by writing vnder the comon seale of such city, borough &c. & shal continue in their force, or be changed, at the election & pleasure of the head officer or officers, & the most part of the cõmon counsaile, Aldermen, Burgesses, Iurats, or cominalty for ỹ time being of such city & borough &c. by writing, & vnder such cõmon seale, as is aforesaid. Nor it shalbe lawful to any person or persõs to kepe any tauerne, or to sel or vtter any wine by retail as is aforesaid, in any city, borough, port towne, or market towne not corporat wiñ Englãd or wales, or in ỹ said townes of Graueseñ, Sittingburne, or Baggeshot, but only such persõ or persõs as thereunto shalbe nominated & appointed, by all or ỹ most part of ỹ Iustices of peace of such coũty where such tauerns or selling of wyne by retaile

Wintners in towns not corporat assigned by Iustices of peace.

by retaile shalbe allowed as shalbe present at the generall sessions for the time being holden wᵗin euery of the said Counties, the said appointment to be had and made in ful session, by writing vnder ỳ seuerall seale of euery of the said Justices, & to be continued, altered, or changed in like forme & by like authoritie, as is last aforesaid, vpon paine ỳ euerie person ỳ shal sel or retaile any wyne being not thereunto licenced, & authorized as is aforesaid, shall forf. for euerie day ỳ he shal so offend v.li. to the Queene & J. to be rec. by A. J. wherein no Wl. E. P. &c. 7. Ed. 6. 5.

How many Tauerns may be appointed in euery City & towne

10 ¶ No person or persons hauing authoritie by this act to nominat or assigne, what persons shal tauerne, vtter, or sell wine by retaile, as is aforesaid, shall appoint by his or their writinge any greater number of Tauerns or winesellers, then ij. by retayle to sell or vtter wine, or kepe or continue any tauerne at one time in any one Citie, Burough, Towne corporat, port towne, or market towne, or in Granesēd, Sittingborne, or Bagshot (al & euery such citie & towne hereafter expresly named onely except,) And it shall not be lawful to appoint by writing in the citie of London to sell or vtter wine by retaile, at any time, aboue the number of xl. Tauerns or winesellers, and in Yorke viij. in Norwich iiij. in Westminster ij. in Bristow vi. in Lincolne iij. in Kingston vpon Hull iiij. in Shrewesburie iij. in Excester iiij. in Salesbury iij. in Gloucester iiij. in Westchester iiij. in Hereford east iij. in Worcester iij. in Southampton iij. in Caunterbury iiij. in Ipswich iij. in Winchester iij. in Oxforde iij. in Cambridge iiij. in Colchester iij. in Newcastel vpon Tyne iiij. tauernes or winesellers, vpon payne ỳ euerie persō authorized by this act to assigne tauerns or wynesellers, to forf. for euery nomination, or appointmēt by him made contrarie to the fourme of this act v.li. to ỳ K. & J. to be recouered by A. J. &c. wherein no Wl. E. P. &c. 7. Ed. 6. 5.

No man shal retaile wine to be spent in his house.

11 ¶ No person shal sell or vtter by retaile any kind of wine to be dronke or spent in his māsion house, or other place in his tenure or occupation by any colour, craft, or meane, vpon paine to forfait for euery such offēce x.li. to ỳ K. & J. &c. to be rec' by A. J. &c. wherein no Wl. E. P. &c. 7. Ed. 6. 5.

These may kepe & spend wine in their houses.

12 ¶ But it shalbe lawfull to euery Merchant aduentring for ỳ same at his owne costes, to kepe to spend in his owne house such wine or wines, as he shal transport or cause to be transported into this Realme, or any part thereof, not taking any money or other recōpence for the sāe, ỳ shalbe so spent in his house, & it shalbe lawfull to euery high shirife of euery countie, Maior, bailife, & shirife of euery citie, & towne corporat, during his or their office of charge,

and to euery other person dwelling in any of the Quéenes fortes, or townes fortified, and kept for the warres during his dwellinge in any such fort or towne of warre, to haue wine in his house by the vessell, to spend the same in his house, without taking any money or other recompence for the same so spent in his house or other place in his occupation. 7. Ed. 6. 5.

Within what time the fort shalbe taken.

13 ¶ This Act shall not extend to charge any person with anie penaltie or forfaiture concerning any offence to be done contrarie to the tenour thereof, vnles the offendor be sued, indicted, or presented for the same, within one yeare next after the same offence committed. 7. Ed. 6. 5.

The liberties of Cambridge & Oxford reserued.

14 ¶ This act shall not be prejudiciall to any of the Vniuersities of Oxford & Cambridge, or to the Chauncellour or scholers of the same, or their successors or any of them, to impaire or take away any of the priuiledges, franchises, or authoritie to them, or any of them belonging, but they and euery of them, and their successors may haue, vse, & inioy al their priuiledges, franchises &c. so that there be not any greater number of Tauerns kept within any of the said townes of Oxford or Cambridg, then may be lawfully kept by the prouision of this statut. 7. Ed. 6. 5.

Wines shalbe assayed, & the corrupt poured out.

15 ¶ Assaye shalbe made of wines twice euery yere, once at Easter, and an other time at Michelmas, & more often if need be, by the Lords of the towns & their bailifes, and also by the Maior & bailifes of the same townes, & al wines that shalbe found corrupt, shalbe poured out, & the vessels broken, & the Chauncellor & Treasorer, Justices of the one Bench & the other, & Justices of assise, haue power to inquire of the Maiors & ministers of towns, if they doe not according to this statut, & besides that to punish them, as reason shal require. 4. Ed. 3. 12.

The contents of eche vessell of wine.

16 ¶ No merchant, nor other person, shal bring or cause to be brought into this Realme, any Butt of Malmesey to be sold, vnlesse it doe containe in measure at the least 126. Gallons. Nor no maner of vessels, with any maner of wines whose soeuer they be, or of what Countrey soeuer they be, nor no maner of vessells of oyle, vnles the same vessels of wyne or oyle doe containe the measure and assise following, vz. euerie Tunne to containe 252. gallons, euerie Pype 126. gallons, euery Tertian, or Punchion 84. gallons, and euery Hoggeshead 63. gallons, and euerie Tierce 41. gallons, and euery Barrell 31. gallons and demy, and euerie Rundlet to containe 16. gallons and di. And the vessells of wyne and oyle brought into this Realme to be sold, shal not be put to sale vntill they be well and truely gauged by the Quéenes Gaugeour,

All vessels of wine & oile shal be gauged.

or his

or his sufficient deputie, vpon payne to forfaite to the Quéene all the said wines and oyle sold contrarie to this ordinaunce, or the value of the same. 18.H.6.17. 1.R.3.13. 28.H.8.14. Euerie Tunne, Pype, Tercian, and other vessell aforesaid, of hony, shall containe the quantitie aforesaide, and be gauged, in manner and fourme aboue expressed, vpon the payne aboue limitted. And euerie Gaugeour shall haue for his labour for the gauging of euerie Tunne and Pype of oyle and hony, as he taketh for euery tunne and Pype of wyne, and for euery Tercian and hoggeshead after the rate, 18.H.6.17.

The contẽts of a vessel of hony

17 ¶Euery Gaugeour within this Realme shall truely and effectually within the limittes of his Office, gauge all the sayde Tunnes, Butts, Pypes, Terces, Punchions, Tercians, Barrels, Hoggesheades, and Rundlets, and shall plainely and truely marke vpon the head of euerie such vessel the content of the same, vpon payne to forfait to the partie, to whose vse the wine oyle, or other thinge therein being shalbe solde, fower times the value of that which the vessell so marked shall lacke of hys lawfull content aboue said: The same forfaiture to be recouered ouer and aboue the costes of the suit, by the Quéenes originall writ, or by bill, in any of the Quéenes courts of her common lawes, or in any competẽt Court, hauing iurisdiction in the place where that offence shalbee cõmitted, by A. or B. of debt, wherin no Wl. E. P. &c. And euerie person selling the said wine, oile, or other thing contained in the said vessell marked, shall allowe of the price thereof to the buyer of the same for euery quantitie of wine, oile, or other thing contained in the said marked vessell, the full value of the lacke thereof beinge by reason of default of full gauge of the vessel marked, or of default of filling of the same vessell after the rate of the whole price of the wine, oyle, or other thing, so being sold by that vessell marked, vpon paine of forfaiture to the same buyer, the double value of the same vessell and wine, oile, or other thing therein beinge so solde: the same forfaiture to bee recouered together with the costes of the suyte in fourme aforesayde. 28.H.8.14. 1.R.3.13. 18.H.6.17.

The gaugeour forfaict the vessel lacke hys content.

How he shalbe recompenced which lacketh his measure of wine or oile.

1 That Marchants Aliens shal carrie no vvyne out of the Realme, but shall sell them here ingrosse and in none other maner. S. Marchants 1.

2 In vvhat vessells any French vvyne may be brought into this Realme. S. Shippes. 4. 5.

3 What Custome or subsidie shalbe payed for svveete vvines brought in. S. Custome. 3.

A witnes vpon proces ſerued vp on him and hys charges tẽdered shal appeare.

IF any perſon vpon whom any proces out of any of the Courts of Recorde within this Realme or Wales, ſhalbee ſerued to teſtifie or depoſe concerning any matter depending in anie of the ſame Courtes, and hauinge tendred to him according to hys countenaunce or calling, ſuch reaſonable ſummes of money, for his coſtes and charges, as hauinge regard to the diſtaunce of the place is neceſſarie to be allowed in that behalf, doe not appeare according to the tenor of the ſaid proces, hauing not a lawfull & reaſonable let to the contrarie: Then the partie making default ſhall forfeit for euerie ſuch offence x.li. & ſhal yeld ſuch further recompence to ẏ p. greeued, as by the diſcretion of ẏ Judge of the Court, out of the which ẏ ſaid proces ſhalbe awarded, according to ẏ loſſe and hinderance ẏ the party which procured ẏ ſaid proces ſhal ſuſtaine, by reaſon of the non appearance of the ſaid witnes, ẏ ſaid ſeuerall ſũmes to be recouered by ẏ party ſo greeued, againſt ẏ offendor by A. I. &c. in any of ẏ Queens courts of record, wherin no W. E. P. &c. 5. El. 9. 14. El. 11. to continue in force vntyll the ende of the nert Parliament.

Proces againſt the witneſſes of a dede denied.

2 ¶ When a deede, releaſe, acquitance, or other writinge is denied in the ẏ Queens court, wherin witneſſes be named, proces ſhalbe awarded to cauſe ſuch witneſſes to appeare, ſo that if none of them come in at the great diſtreſſe returned, or if it be returned, ẏ they haue nothing, or that they cannot be foũd, yet the taking of the Enqueſt ſhal not be deferred by the abſence of ſuch witneſſes. And if the witneſſes doe come in at the great diſtreſſe, & the Enqueſts for ſome cauſe remayneth vntaken, the witneſſes ẏ come in ſhal haue like day giuen them, as is aſſigned for ẏ taking of the Enqueſt, at which day, if the witneſſes doe not appeare, the iſſues that were firſt returned vpon thẽ ſhalbe forfaited, & the taking of ẏ enqueſt ſhal not be deferred becauſe of their abſẽce. And for abſẽce of witneſſes dwellig wtin frãchiſes where ẏ Queens writ original doth not lie, ẏ taking of an ẽqueſt ſhal not be deferred. 12. Ed. 2. 2.

1 For the trial of a dede vvhere the vvitneſſes be of a coũtie vvhere the Queenes vvrit runneth not. S. Trial. 9.

2 In vvhat ſort he ſhalbe punished, vvhich procureth any vvitneſſe to commit vvilful periurie, or being a vvitneſſe doth cõmit wilful periury. S, Periurie. 1. 2.

¶VVoodes.

There ſhalbe xii ſtandils left in an acre of wood at the felling thereof.

IN and vppon all and ſinguler ſeuerall Woodes, commonly called Coppyes Woodes or vnderwoods, which ſhalbe felled at xiiij. yeares growing or vnder, there ſhalbee lefte ſtandinge and vnfelled

vnfelled for euery acre of wood that shalbe felled within the said copies xii. standils or stoyers of Oke, and if there be not so many standils of Oke, then there shalbe left so many of other kind, vz. of Elme, Ashe, Aspe, or Beech, as shal make vp the saied number of xii. likely to be timber trees, the same to be of such standils as haue beene left there standing at any fellinge of the same wood &c. in time past. And in case there be no such stoyers there standinge which were there left at the last felling of the same woods, Then the same standils shalbe left at the next felling of the said woodes &c. of such most likelyest Okes, and if there be not sufficient of Okes, then of the most likelyest Elmes, Ashe, Aspe, or Beech, to proue timber Trees, as shall growe within any such seuerall Woodes, Coppies, or vnderwoodes. And the same standils so left shalbee preserued and not felled tyll euerye of them shalbe of ten ynches square, within three foote of the ground, vpon payne that euery owner of euery such standils, hauinge an estate of inheritaunce, or for terme of life, of freeholde or by copie of Court rol or for yeares in ỹ ground where the same standilles shal growe, caulinge any such Woodes to bee felled, and not leauinge the said stoyers there standinge in fourme aforesayed, to forfayt for euery standyll so not left standing in the sayd woodes &c. three shillinges fowre pence, and vppon payne that euery owner, as is aforesayed of any such Woodes &c. caulinge anie of the sayed standilles so left, to bee cutt downe, contrarye to the fourme of thys Act, to forfayt for euerye of the sayed standyls which shalbe cutt downe, iij.s.iiij.d. to the Queene and J. to bee recouered by A.J. &c. wherein no W. E. P. &c. 35. Henrici 8. 17.13.Eliz.25.

How long the standilz left, shal remain vnfelled.

2 ¶ Al and singuler Coppies and vnderwods which shalbe felled at xiiij. yeres growth or vnder, & not beinge aboue ỹ said age, from and after the xx. day of Aprill next after the fellinge thereof, during the terme of fiue yeares then next insuinge, shalbe sufficiently inclosed, or the springes thereof otherwise saued from destruction by any manner of Cattel, by him which then shal haue lawfull interest and possession in the sayd Woods &c. vppon paine of euery person so bounden to inclose, or preserue the said woodes, to forfait for euery rod thereof so not inclosed or preserued during the sayd fiue yeares, iij.s. iiij. d. for euery moneth that the same Woodes shalbe vnclosed, or not so preserued &c. 35. H.8. 17. 13. El. 25.

Woods felled at or vnder xiiij. yeres groweth. shalbe preserued vi. yeares.

3 ¶ Al and singuler Coppies or vnderwodes, which shalbe felled being aboue the age of xiiij. yeares groweth, and not aboue the

Woods felled aboue xiiij. yeres

growth & vnder xviii. shalbe pre serued 8. yeres.

the age of xvii ij yeares groweth, from the twenty day of Aprill next after the fellinge thereof, duringe the terme of eight yeares next ensuing the same twenty day of Aprill, shalbe sufficiently inclosed, or the springes therof otherwise preserued from destruction by any maner of cattel, by such which thē shal haue lawful interest and possession in the sayd woodes &c. vppon paine of euery person so bound to inclose or preserue the sayed woodes, to forfayt for euery Rode so not inclosed or preserued duringe the sayed eight yeares iii. s. iiii. d. for euery moneth that the same woodes shalbe vnclosed and not preserued, as is aforesaid 35. H. 8. 17. 13. El. 25.

No woods shal be conuerted into tillage or pasture.

4 ¶ No person shal conuert into Pasture or tillage any such Coppies or vnderwoods, containing in quantitie two acres, or aboue, which nowe, vz. (14. die Januarij Anno Do. 1543. & 35. H. 8.) be woodes or vnderwoodes and put or reserued to the vse or increase of wood or vnderwood, and being two furlong distant from the house of the owner thereof, or frō the house whereunto the said wood doth lie or belong, vppon paine to forf. for euery acre of wood so to be conuerted from wood into pasture, or tillage xl. s. But this act shal not extend to any Coppies Woodes, or vnderwoodes destroied or turned into tillage or pasture within xx. yeares last past, (before 14. die Januarij Anno Do. 1543.) although the more part or any part thereof bee ouer growen with bushes or vnderwoodes, Anno 35. H. 8. 17. 13. Eliz. 25.

At the felling of woode aboue xiiii. yeares groweth there shalbe xii. trees left in an acre.

5 ¶ Euery person, body politike and corporat, hauing any seueral Woodes or coppies growing and set with great trees, being aboue the age of xviiij. yeares groweth, shall at the fellinge or wœding thereof, leaue stāding within the precint of the said wood and Coppies for euery acre so felled xii. trees of Oke of the same great trees, if there be so many trees of Oke there to be left, & for lack of Okes, thē to leaue for euery acre so felled, as manye other trees of Elme, Ashe, Beeche, or Aspe, as shal make the ful number of xii. of such as shalbe there then growing, the same trees there so left to stand, and to be preserued by such owner during xx. yeares, next after such felling of the same woods. And also shal from the xx. day of Aprill next after the felling thereof, during the terme of ix. yeres then next following sufficiently inclose thē, or the springs thereof otherwise saue from distruction by any manner of cattell vppon paine that euery such person being owner of the saide great woods, to forfait for euery such great tree of the said number lacking, and not left standing vi. s. viii. d. And vpon paine that euery owner of the ground whereuppon such great trees shalbe left

Wood felled at xviii. yeares growth, shalbe preserued ix. yeares.

standing

ſtanding, cauſing or commaunding any of them to be cut downe contrarye to the fourme of thys Act, to forfayte for euerye of them ſo left, which ſhalbe ſo cut downe, ſixe ſhillings eight pence. And vppon payne alſo to forfait for euery rode of ſuch great wood ſo not incloſed or preſerued during the ſayd ſpace of ix. yeares for euery Roneth iii.s.iiii.pence. 35.H.8. 17.13.Eli.25.

6 ¶But it ſhalbe lawful to euery owner of any of the ſayed coppies, woods, vnderwoods, ſtandils, great woods and trees afore rehearſed to ſel, & take any of the ſame for building, repairing, incloſing, and maintaining of houſes, orchardes and gardyens and euerye of them, and for palynge, rayling or incloſing of Parks, Forreſtes, Chaſes, or other grounds, and for makynge or repairinge of Water worckes, Dammes, Bridges, Fludgates, makinge, repairinge, or amending of ſhippes, and al other veſſels, and for al other thinges concerning his owne vſes or affaires, in ſuch like maner, as he might lawfully haue dõs before the making of this act. 35.H.8.17. In what caſes one may ſel ſtandils.

7 ¶It ſhall not be lawful to any perſon which ſhal haue any woodes or vnderwoods, wherein any other perſon or perſons iuſtly hath, or haue vſed tyme out of mans remembraunce, to haue common of paſture, to fell or cutt downe the ſayd woodes or vnder woods there growing or being, except it be to his owne vſe and occupation, vntyl the fourth part of ſuch Woodes, vnderwoodes, or groundes where the ſame woods growe, or as much as the iiij. part of the ſaid ground ſhal amount vnto, ſhalbe by the Lord and owner of the ſayd ground diuided, ſett out, bounded, and incloſed in manner and fourme hereafter declared, vz. The ſayd Lord that then ſhalbe owner of the ſayd grounde, ſhal call together the tenauntes and inhabitantes being commoners in the ſayd ground, or the more part of them, and vppon the aſſemblie and meetinge of the ſayed Lord, tenants, and inhabitantes, or the more part of them, the ſaid Lord or owner, by the conſent and agreement of the ſaid tenants, and inhabitants, or the more part of them, ſhall diuide, ſet out, mete and boũd the iiii. part of the ſaid woods and vnderwoodes, or ſo much thereof as ſhal amount to the ful iiii. part thereof. 35.H.8.17. The felling of woods wherin others haue common. Dividing the 4. part of the wood.

8 ¶And if the ſaied Lorde and the ſayd tenauntes and inhabitauntes, or the more part of them, cannot, wyll not, or doe not agree, for or vppon the ſeuering, ſettinge out, and bounding of the ſayed fourth part of the ſayd Woodes and vnderwoodes, or of aſmuch thereof as ſhall amount to the ful fourth part thereof, then two Juſtices of the peace, not being of the kynne, aliance, counſel Where ii. Juſtices with the lord & tenants ſhal deuide the wood.

counsel, or lẽe, of, or to the said Lord or owner, (beinge thereunto appointed by the more number of the Justices of peace of ẏ shire, where the said ground lyeth, in their open quarter sessions) vpon request and suit made vnto them by the Lorde or owner or by hys lawful deputie of ẏ said Woodes, ground &c. shal haue ful power to cal before them vpon such paines and penalties as the said Justices shal appoint, such vii. of the said commoners and inhabitants nigh vnto the same woodes &c. as by the said two Justices shalbe thought conuenient. And vpon or after the appearãce of the same Lordes, owners, commoners, and inhabitants, or the more part of them, the same Justices shall declare vnto them, the cause of their assemblie, and that done, shall by the aduise and assent of the sayed Lorde, owners, commoners, and inhabitants, or their lawfull deputye or deputyes, or of the more part of them, effectuallie proceede to the seuering, diuidinge, meatinge and bounding, of the sayd fourth part of the sayd woodes and vnderwoods, or of so much thereof as shall amount to the fourth part thereof. 35. H. 8. 17.

Where the Justices only shal make the diuision.

9 ¶And if the same Justices, owners, commoners, and inhabitants, or the more part of them, cannot, or will not agree vpon the diuision, bounding, or setting out of the said fourth part thereof, as is aforesayed, Then the sayed Justices shall haue ful power to seuer, diuide, and set out, by mete and bound, the fourth part of the sayed Woodes and vnderwodes, or so much thereof vnder the same fourth parte, as shall by the sayed Justices be thought necessarye and requisite to set out. And wythin the monethe next after such seuerance and settinge forth thereof, the owner, or owners of the same Woodes or vnderwoods in fourme afore declared, shal sufficiently inclose the same part of the sayed ground so set forth, as is aforesayed. And after such inclosure made, he may at his libertie fell and take the sayd woods and vnderwoodes, beinge in or vppon the sayd Copeis, Woodes, vnder woodes, or ground so set forth or any part thereof. Anno 35. H. 8. 17.

How many stãdils shalbe left standing in common woods inclosed & felled.

10 ¶There shalbe left standing and vnfelled in and vppon the sayed part of euery the same Woodes, or vnderwoodes, or grounde so seuered, bounded, and sette out dystinctlye in fourme aforesayed, at euerye fellynge thereof, such and lyke number of standyls or stoyers of younge Okes, or other younge Trees of Elme, Ashe, Aspe, or Beech if it bee Coppyes, or vnderwoods whych shalbee so felled, and if the Woodes that shalbee felled shalbe great trees, or great Woodes, then such number shalbe left

standing

ſtanding of great trées, in or vpon the ſaid part to all intents, and vppon like, & the ſame penalties, as is before limmited, for not leauing and preſeruing of ſtādils in ſeuerall woods & grounds. And the ſaid part ſo fenced, bounded, and ſet out in maner and forme aforeſaied after euery felling of ẏ Coppies, Woodes or vnderwods for the time being, in or vpon the ſame, ſhalbe ſufficiētly incloſed and fenced, and the incloſure thereof ſufficiently and continually made or repaired, and maintained by the ſpace of ir. yeares next after euerie felling thereof, in like manner and forme to all intēts and vpon the ſame and like penalties, as is before appointed for ẏ not cloſing or fencing, or for the not repairing and preſeruing of the ſaid ſeuerall copies &c. And alſo the ſtandilles, ſtorers, and great trées appointed to be left, ſtanding in or vpon the ſaid part, ſhalbe there left ſtandyng, preſerued, and not cutt downe, in ſuch like manner, and by al ſuch tyme, and vpon ſuch lyke penalties, to all intents, as is afore limitted for the preſeruatyon of the ſayed ſtorers, and great trées, appointed to be left, in and vppon the ſayed ſeuerall Coppies &c. Triceſimo ſeptimo Henrici octaui. 17. 13. El. 25.

How long common woods incloſed ſhalbe kept in ſeuerall.

Preſerning of ſtandils not cut downe.

11 ¶ After the ſaid fellyng of the ſayed coppies, vnderwods, and wods growinge in any ſuch part of any the ſayed woodes, groundes or places before declared, no beaſtes or cattell durynge the ſpace of nyne yeares next after the fellyng of the ſame woods ſhal willingly by any perſon be put in, or ſhalbee ſuffered to fede or to continue in any parcell of any ſuch part ſo ſett forth, as is aforeſaid, durynge the ſayd terme of nyne yeres, next after the fellyng thereof, vppon paine of forfayture of foure pence, for the putting in of euery beaſt, or wilfull ſuffering of euery beaſt or cattell to be put into any of the ſaied ſeueral Coppies, vnder woods or woodes &c. Anno Triceſimo ſeptimo Henrici octaui. 17. 13. El. 25.

How long woods incloſed from the common ſhalbe defended from cattell.

12 ¶ If it ſhal happen any perſon beinge owner of any ſuche woods, vnderwods, or coppies, lying & beeing in any waſt groūd, to cutt downe any trées, or vnderwoodes, contrary to the fourme aforeſaid, then euery perſon owner ſo offēding, ſhal forfait for euerie trée ſo cutt downe vi. s. viij. d. all which foreſaid forf. ſhalbee to the Queene and J. to be rec. by A. J. &c. wherein no W. E. P. &c. 35. H. 8. 17.

Cutting of wood in waſt ground. The forfaiture

13 ¶ For aſmuch as the ſaid tenants, cōmoners & inhabitāts ſhalbe excluded of their cōmon in ẏ ſaid part ſo to be ſeuered, as is aforeſaid, by all the ſaid terme of ir. yeres next after the felling of ẏ ſaid copies, woods, and vnderwodes, that ſhal growe vppon the ſame

The Lord of a wood lying in common including one 4. part ſhalbe excluded of his common in the other 3. yeares.

same in recompence thereof, they shall & may vse and haue their common for their cattel within the residue of the said woodes, vnderwoodes, ground and soyle not being inclosed in maner & forme as if this Act had neuer bene made, and the lord being owner of ỹ said ground shalbe excluded to putt, or haue any cattel or beastes in or vpon the same residue, or to take any profit of the pasture in the saied residue, during and by the terme of vii. yeres next after the felling of the said copies, woodes or vnderwoods, growing vpon the said part which shalbe so seuered and inclosed as is aforesaied. And after the said nyne yeres expired, vntill the next felling of ỹ said coppies, woodes, or vnderwoodes, beeing vpon the said part, being deuided as is aforesaid, aswell the same part, as the saied residue of the said ground shal lie and be vsed in commõ, and the pasture and other profits thereof shall and may be vsed and taken aswell by the Lord, beeing owner of the said ground, as by the said tenants, commoners, and inhabitants, in like manner as it should or ought to haue bene before the making of this act. 35. H. 8. 17.

Quere. Quere whether the lord shalbe excluded of hys common for vii. yeres or ix. yeres, for the Statute of 13. El. 25. giueth the Lordes two yeres more then the statute of 35. H. 8. to inclose or keepe in seuerall his woodes, but it doth not exclude the Lord of hys common for any further time then in the saied statute of 35. H. 8. is lymitted.

Woodes vsed to be enclosed. 14 ¶ It shalbe lawfull to euery person to fell and to inclose al their coppyes, woodes, and vnderwoodes in any waste grounds, which before the making of this act haue bene vsed to be inclosed and kept for the maintenance of wood, and vnderwood. Anno. 35. H. 8. 17.

The cõmoners shal inioy their common so lõg as the woodis vnfelled. 15 ¶ If the same part of wood and vnderwood so inclosed by the Lorde or owner of the same, as shalbe to hym limmitted by the sayed Justices of peace, or commoners, be not felled wythin iiij. Monethes next after the incloling thereof, then and so long as the same woods shall not be felled, it shalbe lawfull to the sayed commoners to putt their cattel into the same wood and ground so inclosed, and the owner thereof shall leaue open conuenient places within the same inclosure, whereby the commoners beastes may come into the same wood, & there to fede so long as the same wood shalbe vnfelled. 35. H. 8. 17.

Woods in the weld of Kent, Surrey, Sussex 16 ¶ This act shal not extend to any of the Lordes or owners of the woodes, vnderwoodes, or woodlandes, growing, or beeinge within any of the townes, parishes, or places, commonly called or knowen to be within any of ỹ weldes of Kent, Surrey, & Sussex, other

other then onely to the common woods growing and beeing with in any of the said weldes of the sayed Counties. Anno. 35. Henrici. 8. 17.

17 ¶This act shal not extend to charge any personne with any penaltie contained therein, concerning any timber trées growing within two myles of the Sea in the Countie of Cornewall, or any other timber trées within the Realme being sere and dead in ỹ toppes, or any timber trées to be taken by vertue of the Quéens commission within the Realme, Or for any offence done contrary to the tenour of this act, vnlesse the person offending this act be sued for the same win one yere next after the same offence committed. 35. H. 8. 17.

To what wood this statute extendeth not.

Within what time the offēdor must be sued.

18 ¶If any person do breake or destroy any seuerall fences or hedges, made for the sauinge of the same woodes, vnderwodes, grounds, or soyles, he shall forfait for euery such offence. x.s. An. 35. H. 8. 17.

Breaking of wood hedges.

19 ¶If any person sufferr his swyne beeing of the age of tenne weekes, or aboue, during such yeres as the said woodes be appoynted by this act to be inclosed, to go or runne in any cōmon, or seuerall ground or woder, vnlesse the same be sufficiently ringed, or pegged, then the owner of euery such swyne, shall forfait for euery such his swyne that shal goe vnringed &c. iiii. d. the one halfe of the said forfaitures if it be in any of the Quéens woods or groūds, to be to her highnes, and the other to the finder thereof, and if it be within any other persons groundes or woodes, the one halfe of the same forfaitures to be to the owners of the soyle, and the other to him that wil sue for the same by A. J. &c. wherein no W. E. P. &c. 35. H. 8. 17.

Swine shal not go in the woods vnringed.

20 ¶Where any woodes or vnderwodes shalbe felled in any parke, or ground inclosed wherein any Déere shalbe then kept, the owner or possessioner of such parke or groundes be chargeable for the inclosure and preseruation of the same as is aforesayed, but onely for the space of fiue yeares after any such tyme of felling of the same woods &c. and not aboue. Anno Tricesimo quinto Henrici. 8. 17.

The fencing of wood in a parke wherein Deere is kept.

21 ¶If the inclosure of any of the said coppies, woodes, vnderwodes, or groundes happen to be broken, or pulled downe by any person agaynst the will of the owner or possessioner of the same woodes &c. whereby cattell escape into the same woodes &c. and destroy or hurt the spryngs thereof, or if the same woodes, ground, or vnderwodes, be by any meanes destroyed hurted or hindred by any person, or by the cattell of any person, wythout the

Where a stranger is cause of the offence, he shalbe punished & not the owner of the ground.

the assent and will of such owner or possessioner, in every such case the sayed penalties contayned in thys Act, shalbe extended vpon the same person by whose default the same spring, wood or vnderwood shalbe so destroyed or hurted, and not vpon the owner or possessor, of the sayed woods, grounds, or vnder woodes. An. 35. H. 8. 17. 13. El. 25.

Within what time cattel may be put into coppies woodes.

22 ¶ It shal not be lawful for any person to putt any manner of cattell into any coppies woods inclosed to be preserued, from the time of the sale thereof vntill the ende of fiue yeares, nor from ỳ ende of fiue yeares any other cattell but calues, & yeareling Coltes onely, vntill the ende of fire yeares, if the wood was vnder the age of fourtæne yeares at the last fall, or vntill the age of viii. yeres if the wood was aboue the age of xiiij. at the time of ỳ last fal 13. Eliz. 25.

How a man may vse his wood which is within the forest. Agestment.

23. ¶ Euery man that hath wood within the forest, may take the said wood without being attached by any officer of the forest, so that he do it by the view of the forresters, 1. Ed. 3. 2. And euery freeman may take agestmẽt in his owne wood within ỳ Quéenes forest at hys pleasure, and shall haue hys pawnage, & may driue hys swyne through the Quéenes demeane woodes, for to agest thẽ in his owne woodes or else where, & if the swyne tarrie one night in ỳ forrest, he shal not lose one of them thereby. Charta de foresta 9. H. 3. 9.

Purpresture, wastes, assertes made in woods within ỳ forest How eche man may vse his wood within a forest.

24 ¶ Those that doe make purpressures in their woodes whych they haue in forestes, wythout the Quéenes speeyall licence, or wast, or assert in the same, shall answere to the Quéene for the same wastes purpressures and assentes. But euerie freeman shall wythout daunger make in hys owne woode in hys ground, or in hys water, which hée hath wythin the Quéenes forest a myll, a pole, a ponde, a marlepit, a dytche, or arable lande, out of the Couert of the forest of ground whych hath bene arable, so that it be not to the hurt of any of his neyghbours, and also hée may haue wythin hys woods Ayries of Hawkes, Sparhawkes Falcons, Eagles, and Herons, and the honie that is founde wythin his woodes. Charta de forest. Anno. 9. Henrici tertij. 4. 12. 13.

How long woods felled in the forestes may be inclosed

25 ¶ If any of the Quéenes Subiects haunge woodes of hys owne, growynge in hys owne ground wythin any forest, chase, or purliewe of the same within thys Realme of England shall cutt or cause to be cutt the same wood, or part thereof, by lycence of the Quéene, or of her heyres in her forestes, chases, or purliewes, or without lycence in the forest, chase or purliewes of any

of any other perſon, or make any ſale of the ſame wood, it ſhalbe lawfull to the ſame ſubiect, owner of the ſame ground whereupon the wood ſo cut did growe, and to other ſuch perſons to whom ſuch wood ſhal be ſold, immediatly after the wood ſo cut, to copie, and incloſe the ſame ground with ſufficient hedges able to keepe out all maner beaſtes, and cattell out of the ſame ground, for the preſeruing of their yong ſpring, and the ſaid hedges being ſo made, the ſaid ſubiects may keepe them continually by the ſpace of ſeuen yeeres next after the ſame incloſing, and repaire and ſuſteine the ſame as often as ſhall neede within the ſame ſeuen yeeres, without ſuing of any other licence of the Queene, or of her heires, or other perſons, or any of their officers, of the ſame foreſtes, chaſes, and purliewes. 22. Edw. 4. 7.

What wood ſhall not be imployed to the making of yron.

26 ¶ No perſon ſhall conuert or imploy, or cauſe to be conuerted or imployed to coale, or other fuell for the making of yron, any timber tree of Oke, Beech, or Aſhe, or of any part thereof, of the breadth of one foote ſquare at the ſtubbe, and growing within xiii. miles of the Sea, or of any part of the riuers of Thames, Seuerne, Wye, Humber, Dee, Tyne, Tees, Trent, or any other riuer, creeke, or ſtreame, by the which carriage is commonly vſed by boate, or other veſſell to any part of the ſea, vpon paine of forfaiture for euery ſuch tree, or any part thereof ſo imployed &c. fortie ſhillings to the Queene and Informer, to be recouered by A. I. &c. wherein no W. E. P. or Iniunction &c. 1. El. 15.

27 ¶ But this act ſhal not extend to the Countie of Suſſex nor to the welde of Kent, nor to any the pariſhes of Charlewood, Newdigate and Lygh in the Countie of Surrey. 1. El. 15.

1 The forfaiture for burning of any heap of vvood felled, S. Burning. 1.

2 At vvhat time Oken trees meete to be barked, ſhall be felled, S. Barke. 1.

3 That no purueyour of timber ſhall fell any trees growing in or about any mans houſe, P. Purueyours. 8.

4 That no purueyour of timber ſhall fell any timber to the Q. vſe, but onely in barking time, or ſhall take avvay any more then only the timber tree, S. Barke. 2.

5 That none ſhall buy vvood but they vvhich vvill burne, or retaile the ſame, S. Fuel. 1.

6 Where vvoods ſhall be felled in or neere high vvayes, S. Highe vvayes. 18.

Who onely may buy woolles.

NO person being borne within the Queenes obeysance, shal buy, bargaine, take, or make any promise or bargaine of woolles, but onely such person, his wife, or his apprentice inhabiting in his mansion house, as shal of the said woolles make yarne, any kind of clothes, Chamlets, Woolstedes, Sayes, Stamin, knit hose, knit peticotes, knit gloues, knit sleeues, hatts, coykes, caps, Arras, Tapestrie, couerlets, girdles, or any other thing vsed to be made of wooll, or mixed with wool within the Realme, or else a marchant of the staple, or his apprentice dwelling in his mansion house, to be shipped only to the Staple, vpon paine of forf. of the double value of the said woolls so to be bought or bargained, or taken by promise of bargaine contrary to this act, to the Q. & I. to be recouered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 7. neither shal any denizen buy woolles, but of the owner of the sheepe and tythe wool, but in the Staple. 14. R. 2. 4.

The wordes of the statute be to be shipped only to the staple of Callice. Ideo Quere.

Woolls growing in Northũberland, &c.

2 ¶ But the marchants of Newcastell, and other persons may buy woolls of the grouth of ỹ counties of Northumberland, Cumberland, Westmerland, Richmont, and Alderton shire, or the bishopricke of Duresme, to the intent to shippe or transport the same into the parties beyond the Sea, as they haue bene accustomed, any thing in this act &c. notwithstanding. 5. Ed. 6. 7.

Staplers may sell their refuse wools & locks.

3 ¶ And also the marchants of the Staple from time to time may bargaine or sell their refuse course woolls, and locks, such as is not meete for the said Staple, to any person that wil buy the same to make yarne or cloth, or other things as is aforesaid win this realme, so as the same be shot and packed by the wooll packer, declaring of what packing or countrie the refuse or lockes be, and writing vpon the clothes wherein the said refuse wooll is packed, in great letters, as they do vpon the woolles that are shipped to the Staple. Quinto Edwardi sexti. 7.

How Norff. wool may be bought & sold againe within the same countie.

4 ¶ Euery person dwelling within the countie of Norff. or citie of Norwich, by himselfe, or by his factor or seruant, may lawfully buy and bargaine woolles, and take and make prouision to buy or bargaine woolles growing onely within the said countie of Norff. so that the same person so buying or bargaining, or making promise to buy or bargaine the said woolles, do sel or retaile the same againe in the common market, or other open place within the said countie of Norffolke, or citie of Norwich, to any person or persons that will buy the same or any parcell thereof dwelling within the said countie of Norffolke and citie of Norwich, or any of them, that will spin the same within the same countie or citie. 1. Ed. 6. 6. 5. Ed. 6. 7.

5 ¶ It

5 ¶ It shal be lawful to any person inhabiting within the parish of Halifax to buy any wooll, at such times as the Clothiers may buy the same (otherwise then by ingrossing and forestalling) so that the persons so buying the same, do carrie, or cause to be carried the said woolles so bought by them to the towne of Halifax, and there to sell the same to such poore folke of that and other parishes adioyning, as shall worke the same in cloth of yarne (to their knowledge) and not to the rich Clothier, nor to any other to sell againe, and if either the wool driuer shall sell his said woolles at any other place forth of the said towne of Halifax, or if any such that shall buy their woolles at Halifax, shall sell their woolles that they bought againe vnwrought in yarne or cloth, then euery such offendour shall forfait the double value of the wooll so sold or vttered, to the Queene and Informer, that will sue for the same in any of the Queenes Courtes of Record, or before the Justices of peace in their Sessions. 2. E 3. P. & M. 13. S. Iustice of Peace. 98.

The inhabitants of Halifax may buy wool and sell the same there againe.

6 ¶ No marchant stranger, by himselfe, or by any other person for him, in his name, or to his vse shal bargaine, or buy any woolls before the feast of the Purification of our Lady next after the clipping or shearing of the same wools, vpon paine of forfaiture of the double value of the same woolles, to the Queene and Informer, to be recouered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 7.

At what time a marchant alien may buy wool.

7 ¶ No person hauing any wool of his owne grouth, shal keepe the same wools, to the intent to sell the same in woolls vnwrought, aboue one whole yere next and immediatly after the shearing of the same woolles, so as there be offered wout fraud or couin to ỹ owner or owners thereof within the same time such price as then shall be most commonly giuen in the same shire for wooll of like goodnesse and packing, vpon paine of forfaiture for euery todd, or todd weight therof so kept aboue one yere vnsold as is aforesaid x. shillings to the Queene and Informer, to be recouered by A. I. &c. wherein no W. E. P. &c. 5. Ed. 6. 7.

No man shall keepe his wool aboue a yeere if he haue the ordinarie price offered for it.

8 ¶ No person shall winde or cause to be wound, any fleece of wool being not sufficiently riuered or washed, ne wind or cause to be wound win any fleece clay, lead, stones, sand, tayles, deceitful lockes, cot, calles, comber, lambes wooll, or any other thing, whereby the fleece may be the more weightie, to the deceipt, and losse of the buyer, vpon paine the seller of any such deceitful woolles to forfait for euery such fleece vi. d. to the Queene & the finder, and prouer of the same deceipt, to be recouered by A. I. &c. wherein no Wager, E. P. &c.

Winding of woolles.

Wool packer. 8.H.6.22. 23.H.8.17. 13.El.25. And if any woolpacker do make any other but good and due packing, he that feeleth himself greeued thereby shall haue his action of trespasse and deceipt at the common lawe against him, and if any stranger doe force, clacke, or beard any wool, he shall forfait the same or the value thereof, and be imprisoned. 8.Hen.6.22.

Force, clacke, or beard wool.

Countries where wool is not washed, or fleeced, sold by tale

9 ¶ But this Act concerning riuering and washing of any wool shall not extend to any shire or shires, the inhabitantes whereof haue not customably vsed before this time to riuer or wash their sheepe before they be shorne, nor shal be hurtfull to any persons that haue vsed customably to sell their woolls by tale, or number of the fleeces, and not by weight. 23.H.8.17. 13.El.25.

What wooll may be refused.

10 ¶ No denizen nor forreigne shal make any refuse of woolles but of cotte, gare, and villeine. Neither shall any buy woolles, by these words (good packing) nor other like wordes, vpon paine to forfait to the partie greeued double damages, and the broker shall be halfe a yeere imprisoned. And whosoeuer doeth cocket wooll but in the name of him whose the woolles be, shal forfait them. 13.R.2.9.

Cocketing of woolles.

The staple.

In the time of King Edward the third, & sithence, diuers statutes were made for the placing, maintenance, and remouing of the staple, and for lawes and ordinances to be obserued therein, and certaine Magistrates & officers were ordeined for the execution thereof, & seueral statutes vvere made prohibiting vvoolles to be carried to any other place sauing to Callice, or the places where the said staple was established, but some of those statutes be repealed, many expired, and the vse of the residue in effect taken away by the want of Callice, except those which be expressed in this and other titles of this treatise. But whither the staple is remoued, by vvhat vvarrant or authoritie, and in what sort, and how farre the statutes prouided for the maintenance of the staple of Callice do extend or may be executed for the maintenance of the same in any other place, Quere.

Quere.

1 For the contents of a Stone and Sacke of vvool, S. VVeights, 3.

2 For the custome of vvoolles, S. Custome, 8, 18.

3 For the boyling of vvooll, and vvith vvhat stuffe it shalbe boyled, S. Draperie, 63.

Women.

Alienations, recoueries, or warraties made by

IF any woman hauing estate in dower, or for terme of life, or in taile, ioyntly with her husband, or onely to her selfe, or to her vse, in any

any manors, landes, tenements, or other hereditaments of the inheritance or purchase of her husband, or giuen to the said husband and wife in taile, or for terme of life, by any of the auncesters of the saide husband, or by any other person seised to the vse of the said husband, or of his auncesters, and shall being sole, or with any other after taken husband, discontinue, alien, release, or confirme with warrantie, or by couin suffer any recouerie of the same against them, or any of them, or any other seised to their vse, or to the vse of eyther of them after the forme aforesaid, al such recoueries, discontinuances, alienations, releases, confirmations, and warranties so had and made, shall be vtterly voyd. And it shall be lawfull to euery person and persons to whom the interest, title, or inheritance after the decease of the said woman of the said landes &c. being discontinued, alienes, or suffered, to be recouered in forme aforesaid should appertaine, to enter into all and euery of the premisses, and peaceably to possede and inioy the same, in such maner and forme as he or they should haue done if no such discontinuance, warrantie nor recouerie had beene had or made. 11. H. 7. 20. S. Stat. Glouceſter. 6. Ed. 1. If a woman doe sell or giue in fee, or for terme of life, a tenement which she holdeth in dower, the heire or other to whom the land ought to reuert after the decease of the wife, shall immediatly haue his recouerie by writ of Entree out of the Chauncery.

the wife of the inheritance of her late husband.

A writ of Entree in casu prouiso.

2 ¶ If any of the said husbandes and women, or any other seised to the vse of them, of ỹ estate afore specified, doe make, or cause to be made, or suffer any such discontinuance, alienations, warranties, or recoueries in forme aforesaid, Then it shalbe lawful to the person or persons, to whom the said landes &c. should or ought to belong, after the decease of the said woman, to enter into the same, & them to possede and inioy, according to such title and interest, as they should haue had if the same woman had byn dead, no discontinuance, warrantie, nor recouerie had against the said husband during his life, if the said discontinuance, alienation, warranties, and recoueries, be had by or against the same husbands and women during the espousall betwixt them, But the saide women after the decease of their saide husbandes, may reenter into the same lands &c. And them inioye, according to their first estate in the same. 11. Henrici. 7. 20.

Vpon the recouerie or alienation of the woman, he in the reuersion may enter.

A woman couert bound but during her husbands life.

3 ¶ If the said women, at the time of such discontinuance, alienations, recoueries, warranties, in forme aforesaide had and made, of any of the premisses be sole, then she shall be excluded of her title

A woman sole alienting or suffering recouerie.

and intereſt in the ſame from thencefoorth, and the perſon to whom the title, intereſt, and poſſeſſion of the ſame ſhould belong after the deceaſe of the ſaid woman, ſhall immediatly after the ſaid diſcontinuance, alienations, recoueries and warranties enter into the ſame landes &c. and them poſſede and inioy accoꝛding to his title in the ſame. 11. H. 7. 20.

A woman doth diſcontinue oꝛ ſuffer recouerie with the heires conſent.

4 ¶ This acte ſhall not extend to any ſuch recouerie oꝛ diſcontinuance had with the heires next inheritable to the ſaid woman, oꝛ where he oꝛ they that next after the death of the ſame woman ſhould haue eſtate of inheritance in the ſame landes &c. be aſſenting and agreeable to the ſaide recoueries, where the ſame aſſent and agreement is of recoꝛd oꝛ inrolled, And it ſhall be lawfull to euery ſuch woman being ſole, oꝛ married, after the death of her firſt huſband to giue, ſell oꝛ make diſcontinuance of any ſuch landes foꝛ terme of her life onely, after the courſe of the common lawe. 11. Henrici. 7. 20.

A woman may giue land foꝛ terme of her owne life.

The huſbands onely acte of his wiues landes ſhall not preiudice her oꝛ her heires after his death.

5 ¶ No fine, feoffement, oꝛ other acte made, ſuffered, oꝛ done by the huſband onely of any landes, tenements, oꝛ hereditaments, being the inheritance oꝛ freehold of his wife, during the couerture betwixt them, ſhall in any wiſe be, oꝛ make any diſcontinuance thereof, oꝛ be preiudiciall to the wife oꝛ to her heires, oꝛ to ſuch as ſhall haue title, intereſt, oꝛ right to the ſame by the death of ſuch wife, But the ſame wife oꝛ her heires, and ſuch other to whom ſuch right ſhall appertaine after her deceaſe, ſhall and may then lawfully enter into ſuch landes &c. accoꝛding to their rightes and titles therein, notwithſtanding ſuch feoffement oꝛ other acte, (fines leuied by the huſband and wife whereunto the ſaide wife is partie and priuie except.) But this acte doth not giue libertie to the wife, oꝛ to her heires, to auoyde any leaſe made of any inheritance of the wife by her huſband and her foꝛ terme of twentie one yeeres oꝛ vnder, oꝛ foꝛ terme of three liues at the vttermoſt, whereupon as much yeerely rent oꝛ moꝛe is reſerued, and yeerely payable during the ſame leaſe, as was at any time therefoꝛe paid within twentie yeeres next befoꝛe the making of any ſuch leaſe. 32. Hen. 8. 28. Neither doth this Acte giue libertie to the wife oꝛ her heires to auoyd any recoueries, deedes inrolled, oꝛ releaſes, being in the nature of fines, (whereupon women couert are vſed to be examined) knowledged and taken befoꝛe the Maioꝛs, Aldermen, Recoꝛders, Chamberlaines, oꝛ other head officers of the Citie of London, oꝛ other Cities, Boꝛoughs oꝛ Townes coꝛpoꝛat hauing power to receiue and take

Leaſes made by the huſband and wife of the inheritance of the wife.

Recoueries oꝛ deedes inrolled in coꝛpoꝛat townes.

take the ſame, accoꝛding to the cuſtomes of the ſaide Cities, Boroughs, &c. But the ſame recoueries, deedes inrolled, and releales ſhall remaine of like ſtrength to all intentes as they were beſoꝛe the making of the foꝛeſaid ſtatute of 32. Hen. 8. 34. H. 8. 22. See Weſtminſter 2. 13. Ed. 1. 3. that if the huſband doe loſe by default any tenement which was his wiues right, the wyfe after the death of her huſband may recouer the ſame by a Cui in vita.

Lands recouered againſt the huſband by default.

6 ¶ It ſhall not be lawfull to any perſon oꝛ perſons to take oꝛ conuey, oꝛ cauſe to be taken oꝛ conueied away, any mayd oꝛ woman childe vnmaried being within ỹ age of ſixteene yeres, out of, oꝛ from the poſſeſſion, cuſtodie, oꝛ gouernance, and againſt the will of the father of ſuch mayde, oꝛ woman childe, oꝛ of ſuch perſon to whom her father by his laſt will, oꝛ by any other acte in his life time ſhall aſſigne, bequeath, giue, oꝛ graunt the oꝛder, keeping, education, oꝛ gouernance of her, except ſuch taking away as ſhall be had oꝛ made by oꝛ foꝛ ſuch perſon as without fraude then ſhall be the maſter of ỹ myſtreſſe, oꝛ the garden in ſocage, oꝛ garden in chiualrie, of oꝛ to ſuch maide oꝛ woman childe. 4. & 5. Philippi & Marie. 8.

Conueying away of a maide vnder xvi. yeeres of age.

7 ¶ If any perſon oꝛ perſons aboue the age of xiiii. yeeres vnlawfully take oꝛ conuey, oꝛ cauſe to be taken oꝛ conueyed any maide oꝛ woman childe vnmarried, being within the age of xvi. yeeres, out, of, oꝛ from the poſſeſſion and againſt the will of the father, oꝛ mother, oꝛ of ſuch perſon oꝛ perſons as then ſhall haue by any lawfull meane the oꝛder, keeping, education, oꝛ gouernance of any ſuch maide oꝛ woman childe, Then euery ſuch offendoꝛ being thereof lawfully attainted oꝛ conuicted by the due courſe of the lawe of this Realme, (other then ſuch of whom ſuch perſon taken away ſhall hold any lands oꝛ tenements by Knights ſeruice,) ſhalbe two yeeres impꝛiſoned, without baile oꝛ mainpꝛiſe, oꝛ elſe ſhall pay ſuch fine foꝛ his ſaid offence to the K. and P. grieued, as ſhalbe aſſeſſed by the Queenes Counſel in the Starre Chamber at Weſtminſter. 4. & 5. P. & M. 8.

The foꝛf. foꝛ taking away a maide vnder xvi. yeeres of age.

8 ¶ If any ſuch perſon oꝛ perſons ſhall ſo take away, oꝛ cauſe to be taken away as is afoꝛeſaid, and deflowꝛe any ſuch mayde oꝛ woman childe as is afoꝛeſaid, Oꝛ ſhall againſt the will oꝛ vnknowing of, oꝛ to her father, if the father be in life, oꝛ of, oꝛ to her mother, (hauing ỹ cuſtodie & gouernance of ſuch childe if ỹ father be dead) by ſecret letters, meſſages, oꝛ otherwiſe, contract matrimonie with any ſuch maidē oꝛ woman child (except ſuch cōtracts of matrimonie

Taking away and deflowꝛing oꝛ contracting matrimonie with a woman vnder xvi. yere of age.

as shall be made by the consent of such person or persons, as by the title of wardship shall then haue, or be intituled to haue the marriage of her) then euery such offendor being thereof lawfully conuicted &c. shall suffer imprisonment fiue yeeres without baile or mainprise, or else shall pay such fine for his said offence to the Queene and partie grieued, as shall be assessed by the Queenes Counsell in the saide Starre Chamber 4. & 5. P. & M. 8.

Who may heare and determine the offences aforesaid.

9 ¶ The Queenes Counsell of the Starre Chamber by bill of complaint or information, and Justices of assise by inquisition or indictment, haue authoritie to heare and determine the said offences, vpon euery which indictments and inquisitions such proces shalbe awarded, as vpon an indictment of Trespasse at the Common law. 4. & 5. P. & M. 8.

If a woman betwixt xii. & xvi. doe consent to an vnlawfull contract of matrimonie, her next heire may enter vpō her lands.

10 ¶ If any woman childe or mayden, being aboue the age of xii. yeeres and vnder xvi. doe at any time consent to such person that shall make any contract of Matrimonie contrary to the forme and effect of this Statute, Then the next of her kinne to whom the inheritance shoulde returne or come after her decease, shall from the time of such assent, haue and inioye all such landes, tenements, and hereditaments as she had in possession, reuersion, or remainder at the time of such assent, during the life of such person that shal so contract Matrimonie, And after the decease of such person so contracting Matrimonie, then the saide landes &c. shall descend, reuert, remaine, and come to such person or persons, as they shoulde haue done in case this Acte had neuer beene made, other then to him onely that so shall contract Matrimonie 4. & 5. P. & M. 8.

Orphans.

11 ¶ But this Act shal not extend to take away or diminish any libertie, custome, or authoritie, concerning any Orphans within the Citie of London, or any other Citie, Borough, or Towne, where Orphans are commonly vsed to be prouided for, either by graunt or by custome, but the Lord Maior of the said Citie of London, and the Aldermen of the same, and euery other head officer of any other Citie &c. where such Orphans be prouided for, shall, and may haue, and take like rule, order, keeping, and charge of such Orphans, and of all their landes, tenements, goodes and cattels, as heretofore they vsed, or lawfully might haue had and vsed if this Acte had not beene made 4. & 5. P. & M. 8.

Taking a woman against her will.

12 ¶ If any person or persons do take any maid, widow, or wife which hath any lands or goods, or is heire apparēt to her auncestor,

against

againſt her will vnlawfully, ſuch taking, procuring, and abetting to the ſame, and alſo receyuing wittingly the ſame woman ſo taken agaynſt her wyll, and knowing the ſame, is felony, and ſuch miſdoers, takers, and procurators to the ſame, and receyuours knowing the ſayde offence in fourme aforeſayde, ſhall be reputed and iudged as principall felons, But this Acte doeth not extende to any perſon taking any woman, onely clayming her as his ward or bond woman. 3. H. 7. 2. Ward, bond women.

13 If any perſon or perſons wyll take by force or diſſimulation, or by any other meanes wyll get into his or their poſſeſſion any woman beyng ſole, hauing any landes, tenements, or moueable goods within this Realme, and conuey her into any place where he or they be of power, and will not ſuffer her to go at libertie, vntyll ſhee will be bound vnto him or them, or to ſome other, to his or their vſe, in a ſumme of money in an obligation or obligations ſimple, or conditionall, or by obligation of the ſtatute marchant before a Maior or Bayliffe hauing power to take ſuch recogniſaunces, or wyll cauſe the ſaid ſumme to be leuyed of her lands or goods, or wil cauſe her to be marryed agaynſt her will, Then the partie which is bound may haue a writte out of the Chauncerie conteyning all the matter of her vnreaſonable intreatie, directed to the Sherife of the Countie where any of the ſayd offences ſhalbe committed, commanding him that he ſhall by force of that wrytte make Proclamation in the full and next Countie after the receypt of the ſayde wrytte, that the perſon or perſons contayned in the ſaydé wrytte ſhall appeare at a certayne day, and place prefixed in the ſayd writte, before the Chauncellour of Englande, or before the Juſtices of aſſiſe in the Countie where the ſayde offence was committed, or otherwiſe before ſome worthy perſon appoynted by the Chauncellour, at which daye and place if the partie &c. do appeare, the Chauncellour, Juſtice, or other perſon aſſigned ſhall examyne him duely vpon the premiſſes, by which examination if they may finde the ſaid obligation or obligations to be made in ſuch forme as is aforeſaid, then the ſaid obligation or obligations, & all proces & execution thereupon purſued, ſhalbe voyde, And if it be found by examination before them, that any of the ſaid obligations were made for very duetie, & by no ſuch meane as is aforeſayd, Then the ſayd obligation &c. and all the proces and execution purſued thereupon ſhalbe good and effectuall, And if the perſon or perſons in ſuch writtes named, agaynſt whome any ſuch letters or writtes ſhalbe ſued, do make default at the day and place limitted A woman enforced to be bound by obligation or ſtatute againſt her will.

in

in the ſayd writtes, Then all ſuch obligations as be aboue ſpecified and in the ſayd writtes expreſſed, and all maner of proces, and execution ſued or purſued thereupon ſhalbe voyde. 31.H.6.9.

What ꝑ ſherife ſhall forf. if he doe not execute this writte.

14 ¶ The Sherif to whom ſuch writtes vpon this ſtatute commenced ſhalbe directed, ſhal execute the ſayd writtes according to the tenour therof, vpon payne of CCC.li. wherof the Queene ſhal haue the one moitie, & the partie which ſueth the proclamation the other, for the which moitie the ſayd partie greeued ſhall haue an Action of debt agaynſt the ſayd Sherife with proces of outlawrie, wherein no W.P. &c. Nor foreyne plea to be tryed in any other place, but where the writte commenced vpon the ſtatute is ſued. 31.H.6.9.

A womās ſuit ſhall not be differred by the minoritie of ꝑ heire which ſhould warrāt.

15 ¶ If any man doeth alien the ryght of his wife, the womans ſuit, or her heires, ſhall not be differred after the death of her huſband by the minoritie of the heire which ought to warrant it, but ꝑ buyer (which ought not to be ignorāt that he hath bought an others right) ſhal tary to haue his warrantie vntyl the full age of the heire. Weſt. 2. 13.Ed.1.40.

1 What puniſhment doeth enſue the Rape of a vvoman, or conſenting to Rape. S. Rape. 1.2.3.

2 Where a vvoman ſhall haue her quarentine, vvhere her ioyncture, where her dower, & what cauſes there may be of concluſion or forfaiture. S. Dower.

3 Where a woman may haue appeale of death or murder. S. Appeales. 4.

4 In what caſe a woman aboue the age of xii. yeres is compellable to ſerue. S. Laborers. 14.

5 What leaſes made of a womans landes during her couerture ſhall bind her, & what not. S. Leaſes. 1.2.3.

6 Howe vvidowes, or other women, vvhich holde of the Q. in chiefe ſhalbe vſed in euery reſpect. S. Prerog. 4.5.27.

7 In vvhat caſes a vvoman couert ſhalbe receyued to defend her right of lands demanded. S. Receipt. 1.

8 That a will made by a woman couert of lands is not effectuall in law. S. Willes. 17.

9 That a will made by a widow of her croppe is good. S. Willes. 20.

Worſtedes.

No worſted ſhalbe dyealendred.

NO perſon ſhall take vpon him to dyealender any worſted within this Realme, vpon payne to forf. for euery worſted that is ſo dyealendred, C.s.5.H.8.4.25.H.8.5.

2 ¶ No

2 ¶No perſon or perſons ſhal take vpon him or them to wetcalender any worſted, but onely ſuch perſons as haue bene bound apprentices to other perſons of the ſame occupation of wetcalendring of worſted by the ſpace of vii. yeres, or be cunning in the ſame, & their cunning approued & admitted by the Maior of Norwich, & the two maſters of the ſayd craft, yeerely to be choſen within the ſayd Citie of Norwich, or in the Countie of Norfolke, of the Craft of wetcalendring, vpon payne of euery ſuch perſon which ſhall doe the contrary to forf. for euery peece ſo calendred agaynſt the purueyances aforeſayde T.s. to the Q. and to the maſters of the ſayde occupation of wette calendring for the tyme beyng. And it ſhalbe lawfull to the maſters of the ſayd occupation (for the tyme beyng) and their ſucceſſors, to ſue for the one moitie of all ſuch penalties forfaited againſt euery ſuch perſon, as ſhall doe contrary to the forme and effect of this ſtatute by accion of debt, or by B.P.J. &c. wherein no W. &c. E.P. &c. 5.H.8.4. 25.H.8.5. Who ſhal wetcalender worſted.

3 ¶No perſon vſing the myſtery of dying of worſteds, ſtãmins, or ſayes, or any of them, neyther by himſelfe, his ſeruant, factor, deputie, or any other by his aſſignement, ſhall vſe to calender any worſteds, ſtammins, or ſayes, or any other commodities made of worſted parne, during all ſuch tyme as he ſhall vſe the myſterie of dying aforeſayd, vpon payne to forfaite for euery peece ſo dyed, and calendred, by fraude, or contrary to the true meaning of this Acte xl.s. to be deuided in three equall partes, the one to the Queene, one other part to the Maior of Norwich, & the third part to him or them ẏ wil ſue for the ſame by A.J. &c. wherein no E.P. or delay &c. 25.H.8.5. None that dyeth worſteds ſhal calender them.

4 ¶No perſon ſhal tranſport beyond the ſea any clothes of worſted before the ſame be ſhorne, dyed, coloured, & calendred, vpon paine of forf. of the value thereof to the Q. & J. to be recouered by A.J. &c. wherein no W.E.P. &c. 14.H.8.3. 26.H.8.16. No Worſted tranſported before the ſame be ſhorne, dyed, and calendred.

5 ¶The marchants and workers of Clothes called ſingle worſted, may carry boltes of ſingle worſted to what parties they wil (except to the Queenes enemies) paying the Cuſtomes and ſubſidies thereof due, notwithſtanding any ſtatute, ordinance, proclamation, inhibition, commandemẽts, or chartors, liberties, vſages, or priuiledges graunted or to be graunted to the marchants of the ſtaple, or to any other, made or to be made to the contrary. But vnder the colour of the ſayd bolts of ſingle worſted, they ſhal cary no double worſteds, nor halfe double, nor worſteds raye, nor motley, vpon payne of forfaiture of the ſame. 17.R.2.3. What Worſteds may be tranſported & what not.

6 ¶No

Euery mā ſhal put his marke to his Worſted.

6 ¶ No man of the craft of worſted weauers within the citie of Norwiche, or the Countie of Northfolke, ſhall make any worſted, vnles he put his proper marke, fixed, or wouen vpon the ſame, ordeyned by the Wardens of the ſayd myſtery, vpon payne to forfaite the ſame to the Q. and for euery peece of worſted ſoulde not marked after the forme aforeſayde, the firſt ſeller ſhall forfaite the price of the peece ſo by him ſold, to the Q. 7. Ed. 4. 2.

Who ſhall be Worſted weauers of great Yarmouth and Lynne.

7 ¶ No perſon inhabited within either of the Townes of great Yarmouth, or Lynne in the Countie of Northfolke, or the ſuburbes therof, ſhal weaue, or make any worſteds, ſayes or ſtammins, within either of the ſame townes, except he be an Engliſhman borne, & haue bene apprentice to the ſayd occupation, & without he weaue therein ſuch proper marke as ſhall be appoynted by the warden of eyther of the ſayd Townes where he ſhal inhabit for the time beyng, elect and ſworne, vpon payne of forfaiture therof to the Q. And euery warden of eyther of the ſayd townes ſhal limit, diſtinct, and ſeuerall markes to euery of the ſayd Worſted weauers of the ſame townes of great Yarmouth & Lynne, and the ſame markes by the ſayd wardens ſhall be regiſtred in a booke. 14. H. 8. 3. 26. H. 8. 16.

The worſted of Lynne & Yarmouth ſhalbe dyed, ſhorne, & callendred at Norwiche.

8 ¶ The crafts men of worſted weauers inhabited within either of the ſaid townes of Lynne & Yarmouth, or ſuburbes of the ſame, & the marchants or any other perſon or perſons which ſhal buy of any of ỹ ſame craftes men, or of any other perſon, any of ỹ ſaid clothes of worſteds, ſtammins, or ſaies, made within either of ỹ ſaid townes of Lynne & Yarmouth, and ſealed by the wardens of the ſame townes, nor any of them, ſhall not ſheere, dye, or put in colour, or calender any worſted, ſtammins, or ſayes made within eyther of the ſayd townes of Lynne and Yarmouth, or ſuburbes of the ſame in any other place, but onely within the city of Norwiche or ſuburbes of the ſame, vpon paine of forf. of euery peece of worſted, ſaies, or ſtammins to be made within any of the ſayd townes of Lynne & Yarmouth, or ſuburbes of the ſame, or the value therof ſhorne, dyed, coloured or calendred by any of the ſayd craftes men, buyers or marchants in any other place, then in the ſayde citie of Norwich or ſuburbes of the ſame, the one halfe thereof to the Q. and the other halfe to ſuch perſon or perſons as ſhall ſeiſe the ſame, ſo that the ſayd worſteds brought to the ſayde Citie of Norwiche to be ſhorne, dyed, coloured and calendred without couyn or craft of any of the ſayde inhabitantes and marchantes, may be ſhorne, dyed, coloured, and calendred, at and by as conuenient price, and in as ready wiſe as the ſayd inhabitantes of Lynne or Yarmouth,

Yarmouth,and marchants, buyers or other of the ſaid City or county hath had in times paſt, or hereafter ſhall haue, and alſo that euery of them ſo bringing their ſaid worſteds to the ſame Citie for to be ſhorne, died, coloured, & calendred,be reaſonably and lawfully entreated.14.H.8.3.26.H.8.16.

9 Euery peece of worſted ſhall be purſuing through the peece of lawfull making,good,& conuenient ſtuffe, & ſhall hold the length and breadth, as the aſſiſe was wont to be of old time, rightfully accuſtomed,vz.Beds of the greateſt aſſiſe xiiii.yards largely in lẽgth, & iii.yards largely in bredth, & beds of the meane aſſiſe xii.yardes in length,& iii.yards in bredth, & beds of the leaſt aſſiſe x.yards in lẽgth & ii.yards & a halfe in breadth, & clothes called monkes clothes xii. yards in length at the leaſt,& v.quarters in breadth, & clothes called chanõ clothes of the one aſſiſe vi.yards in lẽgth & ii.yards in bredth, and of the other aſſiſe v.yards in length,& vii.quarters in bredth,and double motlies vii.yards in length,& v.quarters in breadth, & ſingle motlies vi.yards in length,& v.quarters in bredth, & double worſted x.yards in length,& v.quarters in bredth, & the halfe double worſted vi.yards in length,& v.quarters in bredth,& the roll of worſted xxx. yards in length, & halfe a yard in bredth, and no lambes wool ſhalbe put in any of the ſaid worſteds,& the wardens of the craft of worſted weauers of the city of Norwich and county of Northfolke,& euery of them for the time being, haue power to ſeiſe all ſuch clothes and ſtuffe being defectiue,And the Maior of Norwich, and Steward of the duchy of Lancaſter within the ſaid county of Norf. and euery of them by xii.of the diſcreet artificers of the ſaid city and county, haue power at all times to enquire,heare,and determine,of all ſuch as do againſt the ſaid ordinances within the ſaid city or county. 7.Ed.4.1.

The length bredth of worſted & motlies

In the foreſaid ſtat. of 14.H.8.26.H.8.& 7.Ed.4.there be ſeuerall prouiſions made for wardens of worſted weauers,to be yerely elected in Norvvich,Lynne,& Yarmouth,& appointing vvhere, whẽ, & before vvhome they ſhall take their othes,vvhat vvares they ſhall ſearch & ſeale,& vvhat they may ſeiſe, & vvhat fees & aucthoritie in ech reſpect they ſhal haue,by vvhat names thei may ſue or be ſued, & vvhat forf. they ſhall make for any offence cõmitted,or duety omitted,& by vvhom & vvhat means thoſe forfaitures ſhalbe leuied.

1 Who may buy vvorſted yarne,ſponne in Norwich, or in the county of Norfolke,See yarne.1.

2 That vvorſted yarne ſponne in England, ſhall not be tranſported beyond the ſea,See yarne,2.

3 What

3 What prentices worsted makers dwelling in Lynne,& great Yarmouth may take.See Labourers.32.

Wrecke of the Sea.

The Queene shall haue all wreckes.

THe Queene shall haue the wrecke of the sea through the realme, whales and Sturgeons taken in the Sea, or els where within the realme(except in certaine priuiledged places)Prerog.17.Ed.2.1

Which shalbe said shipwreck, & which not.

2 Where a man,a dog, or a cat escape quicke out of the shyp, such ship nor barge,nor any thing within thē shalbe adiudged wreck, but the goods shalbe saued and kept by view of the shirife, Coroner, or the Queenes Bailife,& deliuered into the handes of such as are of the Towne where the goods were found, so that if any sue for those goods,& after proue that they were his or his maisters, or perished in his keeping within a yeere & a day,they shalbe restored to him without delay,& if not they shall remaine to the Q. & be seised by the sherifes,coroners & bailifes of the towne,which shal answere before the Justices of the wrecke,belonging to the Q. And where wrecke belongeth to an other then to the Q. he shall haue it in like maner ,and he that otherwise doth & thereof is attainted,shall be awarded to prison,& make fine at the Queenes pleasure,& shall yeld damages also. And if a Bailife do it,& it be disalowed by his Lord, & the Lord will not discharge him thereof,the Bailife shall answer,if he haue whereof,and if he hath not wherof,the Lord shall deliuer his Bailifes body to the Queene.West.1.3.Ed.1.4.

1 That a Coroner shall enquire of the wrecke of the Sea, and the price thereof,and deliuer it to the Townes to answer.See Coroners,11.

Yarne and Thrummes.

Who may buy worsted yarne in Norfolke or Norwich.

NO person shall buy,nor cause to be bought within the city of Norwich,or county of Nork. any Yarne called worsted yarne, the which shalbe sponne within the said city or county,but only weauers,or other artificers the which shal weaue,or otherwise worke,or cause to be wouen or wrought the said yarne in the said city of Norwich or els where within the said county of Nork.vpon paine of fork. for euery pound weight of worsted yarne so bought, & not wouen or wrought, as is aforesaid xl.s. But it is lawfull to euery Hatmaker, dwelling within the Citye of Norwich,to buy such of the said worsted yarne,as is called & knowen by the name of middle Uffe yarne, as they haue heretofore vsed to doe, so that ỹ said middle Uffe yarne so bought be wrought in hats,or imployed to hatmaking within the said

Middle Uffe yarne.

said city.33.H.8.16. 1.Ed.6.6.5.Ed.6.7.

2 ¶ If any person do shippe to conuey, or cause to be shipped to conuey beyond the sea, or els do carry or cause to be carried beyond the Sea, any yarne called worsted yarne, not wrought or made in cloth, so that such yarne be spunne or made within England, then he shall forf. for euery pound of worsted yarne so shipped, conueyed, or carryed, xl.s.33.H.8.16. 1.Ed.6.6.5.Ed.6.7. *No worsted yarne shal be transported.*

3 ¶ Whosoeuer doth carry out of the realme any Thrummes or wollen yarne, vnder the colour of Thrummes, shall forf. the double value of the same.8.H.6.23. *No thrũmes shall be transported.*

4 ¶ No man shall buy yarne of wool, called woollen yarne, if he will not make cloth thereof, vpon paine to forf. the same yarne, & foure fould dammages, to haue ii. yeeres imprisonment, & to make fine at the Queenes pleasure.8.H.6.5. *None shal buy wollen yarne, but to make cloth therof.*

1 That no vvollē yarne shalbe transported but vvhich is vvroght vvithin this realme. See Draperie.102.

2 That none shall buy coloured yarne but in open Market. See Draperie.71.

3 That the vveauer shall put in all the yarne to the cloth, or restore it. See Draperie.77.

FINIS.

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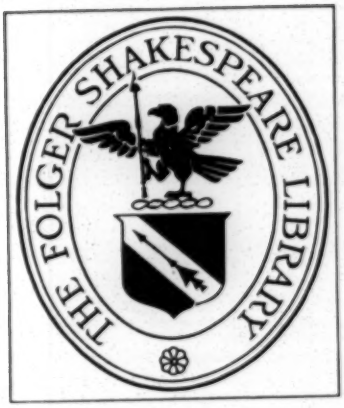
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